

U.S. DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO & FIREARMS

TAPE 1x

March 9, 1993

3:10 a.m. - 4:00 a.m.

1 (Tape 1x)

2 WAYNE: -- that we should know --

3 MAX: Um-hum.

4 WAYNE: -- and I hope that you'll have a
5 chance to go over it. So, just wanted to check the
6 line and thanks for calling back.

7 MAX: Well, I just wanted to make sure that
8 you -- whoever was in there that the line was here,
9 someone was on the other end and someone was concerned
10 in here.

11 WAYNE: Well, that's, that's, that's great,
12 and --

13 MAX: You called in one night, we had a
14 pretty long discussion, I don't know, it was an hour or
15 more, and we talked for a while. And I thought it was
16 very informative and, and you, you shared some of your
17 views and a little bit of Scripture and we talked a few
18 things of importance to us in very rational and calm
19 tones. And then you called back a little bit later and
20 seemed to be really upset.

21 WAYNE: Well, we were upset about the
22 movement of the Bradleys.

23 MAX: Well, this was during the middle of the
24 night. Were they moving around during the middle of
25 the night?

WAYNE: Yeah. It was around 5:30 that

1 morning.

2 MAX: Okay. I couldn't make out -- I mean, I
3 couldn't in my own mind understand why the fluctuation
4 -- you know, and I'm 12 miles away so, you know, you
5 tell me a movement and I don't know about it in advance
6 and I usually hear it from you people first and then I
7 have to go, you know, two or three doors down and find
8 out what's happening to, to, to be even verified even.
9 So, I didn't know. I was a little bit puzzled by the
10 change of your --

11 WAYNE: You're saying the negotiators are 12
12 miles away?

13 MAX: Yeah.

14 WAYNE: All of you?

15 MAX: Yeah.

16 WAYNE: Okay. Well --

17 MAX: So, you know, we're not in those tanks
18 or we're not in those Bradleys or --

19 WAYNE: You're not --

20 MAX: -- anything that you can see. No,
21 we're --

22 WAYNE: You're not in the command post?

23 MAX: Well, we're, we're in a command post
24 but not the one you think of up there. We're over here
25 at an airport in, in Waco.

WAYNE: Oh, yes.

1 MAX: So, you know, that's why we don't
2 always know when you call to us about something what
3 the deal is until we check it out.

4 WAYNE: Okay. Well, we're not that concerned
5 about what's going on.

6 MAX: Well, I don't think you should be. You
7 know, there's going to be movement, there's going to be
8 this vehicle and that vehicle and different things are
9 going to be happening. But we have an old saying in,
10 in this organization and I hope you'll stop and
11 consider it and that is "future behavior is best
12 predicted by past behavior." And look at this past
13 week since we've been involved with you, nothing has
14 happened, and I hope you'll just our future behavior
15 what you anticipate and expect it to be on that, that
16 we haven't hurt you, that there may have been some
17 saber rattling on both sides and some posturing but
18 nobody's been hurt. The actions have spoken loud and
19 clear that we want a peaceful settlement to this.

20 WAYNE: Well, I'm, I'm waiting on God for
21 direction and I think that it's very clear throughout
22 the prophecies that, that God uses patience to perfect
23 the saints -- that's in --

24 MAX: Well, I think recently we've been
25 showing a lot of patience and so in that respect we're
godly I suppose.

1 WAYNE: Well, James, Chapter 1 says that --

2 MAX: And I think patience is what's going to
3 help end this situation because God is certainly going
4 to have use -- utilize patience in some degree to, to
5 keep people from getting hurt and if we use that
6 patience then we're working with him on this thing.

7 WAYNE: Yes.

8 MAX: And not being a great scholar, scholar
9 and not being a great theologian, and I mentioned this
10 the other night from a person that lives in the day-to-
11 day real factual world, I just think that there needs
12 to be some interpretation of what this sign might be.
13 That you know I have heard the phrase somewhere that
14 God works in mysterious ways and I don't know -- and
15 I've also heard somewhere along the way that, that
16 everybody perceives things religious and sacred through
17 different eyes and through different hearts and
18 different minds. And if we are tuned to accepting some
19 kind of sign, what we can, if someone in there should
20 decide to lead out to safety or if someone, the right
21 person would come and meet you would that not be a sign
22 of some type? For instance, if your -- Joe and Helen
23 Martin from Newark, New Jersey were here and standing
24 at the end of the driveway and motioning to you to, to
25 come out, would that not be a sign of some kind? Would
you not put faith in that?

1 WAYNE: Well, Max, I don't have a comment for
2 you.

3 MAX: Well, I really wanted one.

4 WAYNE: I feel that if God asked me to wait,
5 and you asked me once well, how will I be sure that God
6 had given the message to David Koresh. Well, how could
7 a person know as much about God's mysteries as he does,
8 open up vast areas of knowledge about the Scriptures as
9 he has and not be able to communicate with God?

10 MAX: Does, does, does that process shut off
11 your communication with him? Again, I'm, I'm sorting
12 acting as a, you know, an observer in this thing. But
13 does that automatically shut off your interpretation?

14 WAYNE: My interpretation really doesn't
15 matter.

16 MAX: Oh, really?

17 WAYNE: Listen, listen. Isaiah 50 --

18 MAX: I got a hard time with that one.

19 WAYNE: Isaiah 50 verse 10 says. "When God's
20 servants are in darkness...."

21 MAX: Well, I just -- it's so conflicting to
22 me. It's, it's one day it's one thing and it's the
23 next day it's the next thing and --

24 WAYNE: But --

25 MAX: -- this seems to be whatever, whatever
serves David's the purpose the best is what it always

1 is. And, you know, from what little I know of it,
2 it -- I thought it was supposed to be more of an equal
3 situation, that everybody had their own, own line in if
4 they wanted it.

5 WAYNE: That's a promise. That's a promise
6 in the Scriptures. However, at this time, Isaiah 50
7 verse 10 is my position and --

8 MAX: Can you tell, tell me without a verse?

9 WAYNE: It says, well, who is there that
10 obeys God's servant and walks darkness and has no
11 light.

12 MAX: That means that everybody's got to
13 listen to David?

14 WAYNE: Let him put his trust in the Lord.

15 MAX: Well, I really wish there was as much
16 confusion in there about what's going on as there was
17 in my mind and, and in the people out here. We
18 can't -- from the articles we read and the people we
19 interview and from people who used to be in there and
20 came out --

21 WAYNE: Well --

22 MAX: -- really, honestly, we can't, can't
23 see how this situation is, is, is continuing the way it
24 is and under these circumstances that it has and with
25 people under the influence that they're under and that
the cause is that orthodox and that proper and that

1 | religious.

2 | WAYNE: Well, it is a mystery how so many
3 | dumb people that are brainwashed and unable to think
4 | for themselves are able to reach such a consensus on
5 | what the Scriptures teach. That's, in the words of
6 | Bob, unusual. But we're learning how to see eye-to-eye
7 | on the Scriptures. And it's our standard, it's our
8 | reference. It's a biblical standard and it's what we
9 | intend to keep and we're -- we feel that as, as
10 | Americans we have a constitutional right to our
11 | religious freedom and we're going to keep the Bible.

12 | MAX: Well, certainly you, you do have those
13 | rights and the constitution does give them, but it also
14 | gives the rest of us some and, you know, it doesn't
15 | give, you know, the, the right to bear certain types of
16 | arms and, and other things. You know, there are some
17 | laws of man that enter into it, but, you know, that's,
18 | that's another issue for another court. The one thing
19 | that we need to resolve, it has to be resolved here now
20 | or, or in this time period, this time frame, is getting
21 | people out of there in a safe manner -- God's going to
22 | have His way anyway whether you're in there or whether
23 | you're out here, there's nobody, nothing that any of us
24 | can do to change it if he's going to have His way. So,
25 | if you had come into a position --

 WAYNE: (Indiscernible)

1 MAX: -- you know, that everyone could be
2 safe first in man's world and then, you know, say God's
3 going to have His way anyway.

4 WAYNE: Well, says the Lord is good and a
5 stronghold in the day of trouble and knows those who
6 put his trust in Him in, Nahum, Chapter 1. And we have
7 a song in Isaiah in Chapter 25 and we have waited for
8 God, he will save us and we have waited for the Lord.
9 We will rejoice in His salvation. So, the word is to
10 wait and that it came from God. And so we're going to
11 exercise our patience and our faith in this message
12 from God.

13 MAX: Do you, do you think in all of that
14 then that everybody who has gone about any type of
15 religious -- anybody that has gone about accomplishing
16 any religious goals in the past have gone about it the
17 wrong way, that they all should have done as you all
18 have done and prepared as you all have prepared and
19 challenged the laws that you all have challenged in
20 order to be right?

21 WAYNE: Well, I'm not commenting on that last
22 clause, but --

23 MAX: Well --

24 WAYNE: No, no, I'm not.

25 MAX: -- gee, that's what this is all about,
is, you know, if this is -- you know, is everybody else

1 | wrong because they haven't armed themselves and
2 | prepared as you have prepared and --

3 | WAYNE: I'm not commenting about arms. But
4 | in answer to the first part of your, your question, I
5 | would say that the dispensation that God has given to
6 | people in other times has been different. God has
7 | saved people in different ways at different times.
8 | Noah's time, people were told to get in the ark;
9 | Abraham's time, people were told to get out of Sodom;
10 | in Moses' time people were told to sacrifice the lamb,
11 | put it on the door post and then the next morning they
12 | were told to leave Egypt. Now, each time people were
13 | told a different way to be saved. In our time, we are
14 | told that there is a certain person that has
15 | credentials from God and to check it out by hearing
16 | what he has to say about the seven seals and seeing
17 | whether it's made plain in the prophecies, and Isaiah
18 | 55 says that person is our commander, all right? Now,
19 | the second part of your question is about arms. We've
20 | talked about that before you and I.

21 | MAX: Um-hum. Everybody I think that's been
22 | on either of these telephones has talked about that and
23 | nobody out here has been able to really understand it
24 | yet.

25 | WAYNE: Well --

 MAX: And probably we won't reach an

1 | understanding in this conversation about it, but go
2 | ahead.

3 | WAYNE: Well, didn't Christ have a
4 | conversation with Pilate? That was the government in
5 | his day 2,000 year ago, and they talked about things
6 | like truth. What is truth? Well, didn't Christ say
7 | the truth will set you free? Well, we believe the
8 | seven seals will set us free. Now, getting back on the
9 | subject. Talked with Pilate, talked about the kingdom
10 | and why it wasn't going to be set up 2,000 years ago.
11 | And you know, we've talked to you about that before.

12 | MAX: Um-hum.

13 | WAYNE: Because his servants weren't willing
14 | to fight for him -- the kingdom would not be set up.
15 | Earlier that same week, Christ had told his Disciples
16 | to sell whatever they owned and do what with the money?
17 | To even borrow. To do what? To buy swords.

18 | MAX: You know, your phrasing, your, your
19 | every comment, every sound that you make when get into
20 | this is exactly parroting David. You stop and you
21 | pause and you ask the questions the same time he does,
22 | you quote some of the same verses he does, you stop and
23 | want us to fill in the blank. It's -- I can't take it
24 | seriously that it's you believing it because you're --
25 | it's just an exact tape recording of what David says.
So, you know, I can't really think that you're in there

1 | in spite of your education, in spite of your
2 | experience, thinking for yourself.

3 | WAYNE: Well, well then reason with me a
4 | little bit. How could I go to the city of Waco,
5 | practice law, exercise judgment and then come home and
6 | be totally brainwashed and then the next day go back to
7 | the city of Waco, practice law, exercise reason and
8 | judgment no one detecting that I was a moron? Figure
9 | that out.

10 | MAX: No, no, I would never --

11 | WAYNE: No, I resent --

12 | MAX: -- call anyone a moron.

13 | WAYNE: -- I resent all of these comments in
14 | the media about people here not knowing how to think.
15 | We have science teachers, we have lawyers, we have
16 | medical people, we have computer engineers.

17 | MAX: Well, sanity is not always a matter of
18 | IQ, you know.

19 | WAYNE: Oh, so I was mentally defective in
20 | practicing law?

21 | MAX: No. You mentioned brainwashing.

22 | WAYNE: Well, what are we talking about?

23 | MAX: You know, that's, that's an affectation
24 | of the sanity to --

25 | WAYNE: Doesn't the brain has something to do
with the mental health of a person?

1 MAX: At times. But a person on many
2 occasions -- you're a lawyer so you know, you know,
3 that you can be -- you can have a severe personality
4 malformation --

5 WAYNE: An interactive social worker --

6 MAX: -- that will cause, that will cause
7 crime.

8 WAYNE: -- interactive psychiatrist --

9 MAX: But at the same time you will not be
10 ruled insane in a court of law. So, we both know what
11 we're talking about here, David.

12 WAYNE: Well, I've, I've had people --

13 MAX: I'm sorry. I'm used to saying David;
14 Wayne.

15 WAYNE: Well --

16 MAX: Although you can understand why I made
17 the mistake too; you sound so much like him. What
18 shall we tell Joe and Helen Martin? They have
19 physically called in here, they've made contact with
20 our agents --

21 WAYNE: I prefer to talk --

22 MAX: -- and they wish to send you a message.

23 WAYNE: I prefer to talk to Joe and Helen
24 direct.

25 MAX: Um-hum.

WAYNE: I don't think I can trust someone

1 else to talk for me to Joe and Helen Martin.

2 MAX: You have --

3 WAYNE: I don't know that they are doing
4 okay. I don't know what the government is doing to
5 them. I don't know what the government is doing to my
6 family, my friends, my children. I don't know anything
7 about that and it really gets me angry.

8 MAX: Well --

9 WAYNE: To lose those kinds of rights as an
10 American --

11 MAX: -- I think you can -- you know, you
12 know that without me saying it, all you have to do is
13 come out here and make inquiry.

14 WAYNE: You know that --

15 MAX: And it will be simple enough to find
16 out. You will have --

17 WAYNE: You know that the --

18 MAX: -- thousands of news media wanting to
19 answer the same questions that you ask and they'll dig
20 for answers --

21 WAYNE: The government tried to kill --

22 MAX: -- and the government and the court
23 will dig for answers.

24 WAYNE: -- all of the people in this
25 building. The government has tried to kill all of the
people in this building and then you tell me we should

1 | surrender to you, the same government without any
2 | observers?

3 | MAX: You are a lawyer.

4 | WAYNE: I've seen --

5 | MAX: You're discrediting yourself by that
6 | statement.

7 | WAYNE: I've seen the evidence around this
8 | building and you've said you planned it for months.
9 | You had plenty of opportunity to serve a warrant in a
10 | different way. You should have a siege. You, you
11 | avoided all those options and you went for
12 | assassination.

13 | MAX: Not me.

14 | WAYNE: Well, I'm no, I'm not saying you
15 | personally.

16 | MAX: And you look at it. You, you are --
17 | you in some circles are an officer of the court.

18 | WAYNE: In some circles?

19 | MAX: Yeah.

20 | WAYNE: You question my credentials?

21 | MAX: No. I just don't know what court
22 | you're qualified to teach -- to --

23 | WAYNE: Oh, okay.

24 | MAX: -- to work in, you see? You're
25 | not --

 WAYNE: Well, I didn't question your

1 credentials.

2 MAX: You're not qualified in all courts I
3 don't believe.

4 WAYNE: Well, well, I'm not going to comment
5 on that. I will say --

6 MAX: But, but a court --

7 WAYNE: -- I will say -- I, I, I --

8 MAX: -- qualifying for any court would give
9 you more knowledge than you're now showing.

10 WAYNE: I will say, I will say that I have
11 successfully won an appeal in the U.S. Supreme Court,
12 an honor that not many lawyers have accomplished within
13 the first three years of their practice, maybe not in
14 their total practice. But I have that opinion in my --

15 MAX: Congratulations.

16 WAYNE: -- file cabinet and it's signed by
17 Judge Scalia. So, if you want to question abilities to
18 practice law while under a severe mental defect, then
19 find me an example. You say --

20 MAX: Then you know the system works.

21 WAYNE: I know the system --

22 MAX: Then you know the legal system works.

23 WAYNE: -- how it works. I, I wouldn't say
24 it works. I know how it works.

25 MAX: Do you know what power the legal system
combined with the media have?

1 WAYNE: I'm not impressed with man's power.
2 Man's, man's breath is in his nostrils. Do you know
3 what that means?

4 MAX: You spoke a few minutes ago, you spoke
5 a few minutes ago that you would not get a fair shake
6 out here, that people --

7 WAYNE: It means --

8 MAX: -- were going to finish killing you or
9 whatever, and I just wanted you to realize that in your
10 own mind you knew that was not true, you're an officer
11 of the very system you're accusing of doing that.

12 WAYNE: The evidence shows that the
13 government tried to assassinate all of the people in
14 this building.

15 MAX: It shows no such thing. You could not
16 prove that in any court, much less from in there.

17 WAYNE: Well --

18 MAX: You got to come out here and prove it.
19 You got millions of people who would listen to that.

20 WAYNE: I don't have to come out there and
21 prove anything.

22 MAX: You should. If you believe that
23 strongly about it you should.

24 WAYNE: I don't have to.

25 MAX: It's your duty. It's your obligation.
As, as a lawyer, as an officer of the court, if you

1 | know of something, that that was wrong -- that wrong
2 | that was done, it's your obligation, it's your sworn
3 | obligation to come out and do something about it, is it
4 | not?

5 | WAYNE: It is not my duty --

6 | MAX: Sure it is.

7 | WAYNE: It is not my duty to walk out and be
8 | slaughtered by the government.

9 | MAX: By a system that you've sworn to be a
10 | part of? No, that's not going to happen. You know
11 | better than that, Wayne. You have relatives that are
12 | in this very system in law enforcement. Now, come on,
13 | put the right hat on and get out of there. How about
14 | Sheila? How's she doing?

15 | WAYNE: Ask her.

16 | MAX: She's the one you're in there for. I
17 | think you owe it to her to bring her out of there.

18 | WAYNE: Ask her.

19 | MAX: Where is she? Is she there with you?
20 | Where is she?

21 | WAYNE: I'm alone. There's nobody with me
22 | right now.

23 | MAX: Then where is Sheila?

24 | WAYNE: She's in the building.

25 | MAX: Where is she in the building?

 WAYNE: I wouldn't tell anyone where anyone

1 | is in the building. We don't trust you enough. I will
2 | say that bullets were all around her a week ago, and my
3 | children. And you can just look at Jamie's face and
4 | you'll see scars from glass that cut him up.

5 | MAX: Is she down in David's part of the
6 | building?

7 | WAYNE: You know the government did that.
8 | This is the government you said would not try to wipe
9 | out --

10 | MAX: The government will not --

11 | WAYNE: -- the people in this building.

12 | MAX: The government will not, the judicial
13 | system that you work in will not. You know that.

14 | WAYNE: I don't know that.

15 | MAX: It's empty.

16 | WAYNE: I don't know that.

17 | MAX: It's totally empty. Your argument is
18 | totally empty. You have no basis for it and you know
19 | better.

20 | WAYNE: When, when you use the word totally I
21 | know you're making an emotional argument.

22 | MAX: Hey, I'll make any kind of argument to
23 | get people to safety.

24 | WAYNE: Don't tell me you'd do anything to
25 | get us out of here.

 MAX: I said I would make any kind of

1 argument to make -- to get peoples' safety. And I'll
2 do anything within reason.

3 WAYNE: How about the truth?

4 MAX: I'll do anything within -- truth, sure.

5 WAYNE: Well, go have a press conference and
6 tell the truth. Tell the truth about what happened out
7 here --

8 MAX: You've got such a --

9 WAYNE: -- and then we'd have confidence to
10 talk to you.

11 MAX: We have done the best we can, all
12 right? We tell the truth as we know it --

13 WAYNE: You know, I can't believe --

14 MAX: -- as investigation and facts at our
15 disposal, as affidavits filed in your court, say the
16 truth is.

17 WAYNE: When the press asks for the
18 affidavits, you say they're sealed.

19 MAX: Now, you sit in there, you sit in there
20 in your very strict little environment, in your bubble,
21 in your cocoon, listening to one voice rattle back and
22 forth from one chapter to another with an
23 interpretation that changes --

24 WAYNE: No, that's not true.

25 MAX: -- like the clouds in the sky and you
talk -- call out here and tell me I'm not truthful,

1 | that I don't know what's going on in this world?

2 | WAYNE: That's not true.

3 | MAX: I'd rather read a document out of your
4 | court --

5 | WAYNE: We have never been, never been in a
6 | cocoon.

7 | MAX: -- than listen to you interpret
8 | something -- to David -- somebody interpret out of a
9 | Bible.

10 | WAYNE: We have never been in a cocoon.

11 | MAX: Sure you have.

12 | WAYNE: No, we haven't.

13 | MAX: And I can see how it would be upsetting
14 | to have to come out of that environment. I can see how
15 | this -- how it's threatening out here and how you have
16 | so much invested in it --

17 | WAYNE: Max, you have an investment and you
18 | are counting the costs of accepting the truth or
19 | holding onto what you have, your car, your job, your
20 | pension, your wife, your kids, you think these things
21 | are things that should come ahead of what the
22 | Scriptures tell you to do which is to seek the Kingdom
23 | first.

24 | MAX: Look, if I'm wrong it's going to be me,
25 | if you're wrong it's going to be you and Sheila and
 | that whole group in there is in danger. I'm asking you

1 to come out and be in a safe situation.

2 WAYNE: You're asking me to gamble.

3 MAX: Yes, but the odds are on your side and
4 you know it. You're a part of the system this system
5 that makes it work. You're --

6 WAYNE: I don't feel lucky. I just don't
7 feel lucky.

8 MAX: I know what you have on the line,
9 Wayne. I know that you've got a lot of time,
10 reputation, ego, prowess, whatever, invested in this.
11 And money, you've poured lots of money down this hole.
12 And it's got to work or things don't look good, things
13 look very bleak. But it's fallen apart, it's not
14 working. Stop and look around you. Listen to the
15 things that you're saying. Weigh them in the judicial
16 sense. Put then on the Harvard-educated scale that you
17 have somewhere in your mind. Put some facts to it and
18 see that you can start over, that it's worth
19 rebuilding. Don't let them take it all from you, don't
20 lose it all. It'll be bumpy for a while, there will be
21 some problems, there will be some things to overcome.
22 I know you didn't go in there in a split second and you
23 may not come out in a split second, but start thinking
24 what's at stake here and that you can start over and
25 that you can save some things that you thought might
have lost and you can regain some things you did lose.

1 People out here care about you. People out here are
2 worried about this situation you and all your, your
3 children are in. What more can I say?

4 WAYNE: Something from the Scriptures.

5 MAX: No, no.

6 WAYNE: Anything from the Scriptures, Max.

7 MAX: No, that's -- you turn to Scriptures
8 when, when there's -- you, you can't think of any
9 logical reason to think on your own.

10 WAYNE: You think the Scriptures are
11 illogical?

12 MAX: No, you can't -- you turn to the
13 Scriptures when you can't think of anything for
14 yourself to say. You go to the Scriptures and remember
15 what David said about them. If you were interpreting
16 that would be different, but you're not. Would you let
17 somebody else totally interpret and brief a case and go
18 to trial on it? No. But that's what you're doing with
19 your life here.

20 WAYNE: David has credentials. I've checked
21 his credentials. Have you checked his credentials?

22 MAX: Do you -- how do you measure
23 credentials? In the amount of money he's taken from
24 people like yourself --

25 WAYNE: When he's shared things with you that
no one ever --

1 MAX: -- from the number of wives he's taken
2 from people, from the number of motorcycles parked in
3 his shed, from the number of sports he drives or
4 guitars that he paints?

5 WAYNE: Well, maybe you want me to just, just
6 drop in and talk with him for an hour each week and
7 then for the rest of the week do my own thing.

8 MAX: I don't think it would be advisable to
9 drop in and talk to him for an hour. I think it's
10 advisable to drop back into your own reality and
11 realize what's important, what direction you're headed,
12 what you're leaving behind, what you're turned your
13 back on and collect up what's important to you and get
14 back out into the world and work for yourself; set your
15 own goals, have your own ambition, spend your own
16 money --

17 WAYNE: And save how many souls?

18 MAX: -- and, and take your own wife home
19 with you in the evening.

20 WAYNE: And save how many souls?

21 MAX: Yours and your family's for sure.

22 WAYNE: For how long?

23 MAX: For as long as you want.

24 WAYNE: (Laughter)

25 MAX: Would you as an attorney introduce
David on the stand as an authority on something --

1 WAYNE: Max, you find me anybody --

2 MAX: -- as a factual witness?

3 WAYNE: You find me anybody that can help my
4 son Jamie besides David Koresh.

5 MAX: What's he done for him so far?

6 WAYNE: Find me anyone that can help Jamie.

7 MAX: What's he done for him so far?

8 WAYNE: Well, all you've done is make
9 promises.

10 MAX: What has David done for him so far?
11 What's he done for Sheila?

12 WAYNE: He's given me a truth from Isaiah 35.
13 That's going to help Jamie. Now, what can the doctors
14 give me, huh?

15 MAX: I'm not saying that there are no
16 crosses --

17 WAYNE: You think I'm here because --

18 MAX: -- to bear out here in the real world.

19 WAYNE: -- it's illogical -- you say it's
20 illogical, you're saying it's not reality, you're
21 saying the odds against me, you're saying that I'm not
22 thinking.

23 MAX: Um-hum.

24 WAYNE: And I just tried to reason with you.
25 I said give me something for Jamie. Give me anything
for him. David Koresh has given me Isaiah 35. What,

1 | what can you offer?

2 | MAX: It's always been there. He didn't give
3 | it to you.

4 | WAYNE: You can't give me anything for him,
5 | not a thing.

6 | MAX: How about the children that you have
7 | released out here? Who's going to care and take care
8 | of them? Is it any way significant to you that the
9 | only children --

10 | WAYNE: (Indiscernible)

11 | MAX: -- released from there were not David's
12 | biological children? Is that significant?

13 | WAYNE: God will take care of them.

14 | MAX: I think he's going to take care of all
15 | of us regardless of what we as individuals do, and I
16 | see you in some physical and emotional danger. And
17 | let's, let's relieve that situation and then God will
18 | do what he wants to do with any and all of us anyway.

19 | WAYNE: Read Psalms 8. David has asked you
20 | to read Psalms 8. It's about the children. Read, read
21 | Isaiah 49. It's about the children. You don't need my
22 | interpretation. Just read those.

23 | MAX: I, I don't really think you have any
24 | anyway, David -- Wayne. You don't have any
25 | interpretations; you're giving me David's.

 WAYNE: Actually, I don't mind you saying

1 | that.

2 | MAX: Do you have anything special that you
3 | would like for us to say for these -- to these people
4 | who are calling, Joe and Ellen --

5 | WAYNE: Yes.

6 | MAX: -- and the Greenwoods (phonetic sp.).

7 | WAYNE: I'd like you to tell them that, that
8 | I'd like to talk to them.

9 | MAX: That's easy enough. I'm sure that they
10 | would like to talk with you. I'm sure that they would
11 | like to be assured that someone is going to take care
12 | of the children.

13 | WAYNE: When our telephones were cut I was
14 | talking to my family.

15 | MAX: I'm sure that they are wondering -- I
16 | know that they were wondering how the children out here
17 | are going to exist without you and Sheila's help, and
18 | why you're doing that to them.

19 | WAYNE: Well, I'm not doing that to them.
20 | You're doing that to them. The agreement was --

21 | MAX: It's your choice not to be --

22 | WAYNE: The agreement was that you would
23 | allow the children to go to their relatives. You're
24 | doing that to them. One day the truth will be know.

25 | MAX: They need to be with their parents. We
both know that.

1 WAYNE: I'm telling you that the truth will
2 be known.

3 MAX: They need to be with their parents.
4 You are afraid to leave, you know that. You're an
5 attorney, you've practice in the courts, you've told me
6 how assured you are in that profession and I believe
7 you. And I believe you equally know that your rights
8 will be protected if you come out, that you will have
9 all the freedoms that anyone else in this country has
10 when you come out of there.

11 WAYNE: The people in this building have had
12 their constitutional rights trampled on. Now, let me,
13 let me, let me --

14 MAX: That, that is -- there is a remedy for
15 that in your system is there not?

16 WAYNE: We are being treated as fugitives and
17 there are no charges filed against us.

18 MAX: The system that you work for and have
19 taken an oath to uphold has remedies for that
20 situation. Come out --

21 WAYNE: We have --

22 MAX: -- and help it be investigated.

23 WAYNE: We have a right to counsel. 6th
24 Amendment.

25 MAX: Come out and have it.

 WAYNE: We have a right to jury trial, 7th

1 | Amendment.

2 | MAX: Come, come out and have it.

3 | WAYNE: What? As dead bodies?

4 | MAX: No. Nobody's going to kill you, you
5 | know that, come on out.

6 | WAYNE: We have a right to search and --
7 | reasonable search and seizure.

8 | MAX: If it's signed by a judge it's
9 | reasonable.

10 | WAYNE: You can't serve it with blazing guns.

11 | MAX: Come out and let your story be told.

12 | WAYNE: We have a right to keep and bear
13 | arms.

14 | MAX: You're a lawyer. You can have any
15 | other lawyer of your choosing to defend you or to bring
16 | suit.

17 | WAYNE: We have a right to a free press.

18 | MAX: It's waiting out here for you. Come
19 | on.

20 | WAYNE: Yes, it's called the BBC. Not a
21 | single American media is worth calling it media
22 | anymore. But nevertheless, you're blocking us from the
23 | BBC. And we have a right --

24 | MAX: Come out and hold a press conference.

25 | WAYNE: -- to religious freedom.

 MAX: Nobody's ever questioned that.

1 WAYNE: Now, since you won't honor our rights
2 now, why should we trust you in the future?

3 MAX: Look, you're a member of this system.
4 You don't have to have me answer that. You know far
5 more about law and rights than I do. You work in the
6 courtroom every day. You don't have to pose those
7 questions to me.

8 WAYNE: Max --

9 MAX: You're playing a game with me just by
10 asking --

11 WAYNE: Okay.

12 MAX: -- because you know --

13 WAYNE: Let's --

14 MAX: -- you told me what a functioning
15 lawyer you were, you know the answers to those
16 questions, you get up and argue them in the court.

17 WAYNE: Let's play another game. Tell me
18 about this new world order.

19 MAX: New world order? Well, give me a hint.

20 WAYNE: No.

21 MAX: You're not starting off on seven-
22 somethings are you? I don't want to go into sevens
23 anything.

24 WAYNE: There's money in your pocket. Tell
25 me about it. Here you are, an agency of the government
that doesn't even follow its own laws; tell me about

1 the new world order. Who do you answer to? What laws
2 do you follow?

3 MAX: You know that as well as I do. You
4 don't have to ask. You know how the judicial system
5 and the government system is constructed. You could
6 probably go over to your closet and crack a book and
7 get the answer in a second. You are -- anything that
8 you ask me about the system you're, you're being
9 facetious because you know. If you would stop and
10 examine, you know.

11 WAYNE: I know what the Bible says about it.
12 I know --

13 MAX: That's not the question that you're
14 asking about.

15 WAYNE: -- it's Daniel Chapter 11.

16 MAX: You're not, you're not asking if the
17 question is about the Bible, you're asking questions
18 about your rights in the constitution and all that and
19 you know those as well as you profess to know the
20 Bible. Or you know those as well as David has taught
21 you the Bible.

22 WAYNE: It says, "King of the North tries to
23 enter into God's Kingdom using flatteries, using deceit
24 and also using its might and its power."

25 MAX: You're afraid to leave and you're
choosing not to. Is that correct? I want to get this,

1 | you know, on a factual basis here. Is that correct?

2 | You, you do not wish to leave, you do not wish to
3 | locate your wife and, and bring her out with you?

4 | WAYNE: I choose to wait for God.

5 | MAX: Okay, and in what way do you think is
6 | God going to give you the answer? Do we have any idea
7 | of that?

8 | WAYNE: I believe God will act according to
9 | one of the prophecies. I'm not saying which one.

10 | MAX: Oh, you're not?

11 | WAYNE: No, I'm not.

12 | MAX: Why is everybody keeping that such a
13 | secret from us?

14 | WAYNE: Well, why don't you come and join us
15 | and we'll give you a class --

16 | MAX: No, why don't you come and join us?
17 | Why don't you come and join us?

18 | WAYNE: We'll give you a Bible study. We'll
19 | give you safe harbor, safe conduct, whatever you want.
20 | We're --

21 | MAX: Well, that's the same thing I'm
22 | offering you.

23 | WAYNE: We're trustworthy. Didn't we give
24 | Robert Gonzalez many a Bible study --

25 | MAX: Haven't we treated all your children
properly? Hey, everything you're saying about yourself

1 | you know goes true for us too.

2 | WAYNE: I don't know. Those still
3 | photographs, they're not very reassuring.

4 | MAX: Well --

5 | WAYNE: (Indiscernible)

6 | MAX: -- we sent a tape -- that videotape in
7 | there and it was working when we sent it in. You
8 | should have been able to tell from that.

9 | WAYNE: Has the government run out of
10 | videotape?

11 | MAX: What do you mean by that?

12 | WAYNE: Send another.

13 | MAX: Why? Just to have it erased by
14 | somebody that doesn't want you to see it?

15 | WAYNE: You know, I hadn't thought of that.

16 | MAX: Well, it's about time you started
17 | thinking. It really is. Don't you have a relative
18 | that belonged in the FBI for a while?

19 | WAYNE: I don't know.

20 | MAX: A cousin?

21 | WAYNE: I don't know that it would be wise
22 | for me to talk to you about that. Is this what,
23 | psychological pressure?

24 | MAX: No, it's a question.

25 | WAYNE: No, no, it's pressure.

 MAX: I was going to ask you next if you

1 | believed him or trust him or thought he was as big a
2 | crook as you're accusing me of being. Did he do
3 | something to make you distrust this organization?

4 | WAYNE: I haven't spoken to that person in
5 | let's see, 13 years.

6 | MAX: Was he bad when you knew him then?

7 | WAYNE: Was he what?

8 | MAX: Bad.

9 | WAYNE: (Laughter) He was there.

10 | MAX: He was there?

11 | WAYNE: He was there. C'est la vie.

12 | MAX: Okay, but he didn't do you anything --
13 | didn't do anything to make you believe that the FBI was
14 | a gestapo-like agency or something did he? I would
15 | hope that he would have given you some positive thought
16 | about us.

17 | WAYNE: We haven't discussed the FBI.

18 | MAX: Was he a fair and honest person at
19 | least?

20 | WAYNE: I wouldn't know. We sat down, we ate
21 | some turkey, we watched the Dallas Cowboys on
22 | television.

23 | MAX: Well, good for you. Did you root for
24 | them?

25 | WAYNE: The Dallas Cowboys?

 MAX: Yeah.

1 WAYNE: Well, yes, I did.

2 MAX: Well, good.

3 WAYNE: And, and that was it. We were just a
4 typical American family, ignorant about the seven
5 seals. That's how it was with everybody in 1980.

6 MAX: And you didn't know about the seven
7 seals, seven seals in 1980?

8 WAYNE: No one knew about them.

9 MAX: All right, and have things gotten worse
10 up to 1990? I mean, we made it 10 years without the
11 seven seals. Maybe we can make it 10 more if you'll
12 come out of there.

13 WAYNE: Who would want to make it without the
14 seven seals?

15 MAX: Well, I think anybody that, you know,
16 really cared about their children out here and the rest
17 of their family and living the rest of their life and
18 everything.

19 WAYNE: Well, the Bible says the Lord is
20 good.

21 MAX: I'm not a scholar but I'll believe
22 that.

23 WAYNE: Romans, Paul says everything works
24 out just great for those who put their trust in God.

25 MAX: Okay. Do you have your trust in God?
Then come on out of there and everything will work out

1 good. It's that simple. You just said it. Whatever
2 you do he's going to look out for you, he's good. Come
3 on.

4 WAYNE: For those who put their trust in Him.

5 MAX: You have. I'm sure you have. Come on.
6 I hope you didn't leave it with David though.

7 WAYNE: David has credentials. I've checked
8 out his credentials.

9 MAX: Well, we never did decide how we
10 measured his credentials.

11 WAYNE: The whole world can measure his
12 credentials.

13 MAX: They can measure them any way and then
14 the sooner we get a good look at them the sooner we can
15 measure them, right? I think he needs to come on out
16 and tell the world --

17 WAYNE: I don't --

18 MAX: -- everything that he's now told you
19 inside there. Share it with all of us.

20 WAYNE: I think you need to leave him alone.

21 MAX: We can't go away and leave him alone.

22 WAYNE: Why?

23 MAX: You know why.

24 WAYNE: Why?

25 MAX: There's a, an affidavit been filed in
the court, there's a warrant outstanding and it won't

1 go away and it has to be satisfied. You're a lawyer,
2 you know that.

3 WAYNE: I know that you're not bothering
4 Caspar Weinberger. The government has left him alone.

5 MAX: Wayne, you are not being reasonable.

6 WAYNE: Look, the Secretary --

7 MAX: I hope you don't go into court and
8 argue the way that you're arguing with me.

9 WAYNE: (Laughter)

10 MAX: I hope you use a few more factual
11 references than I have heard.

12 WAYNE: Well --

13 MAX: I hope you don't have David as your
14 expert witness.

15 WAYNE: In my last trial I went into court
16 and I argued a discovery motion and I based it on,
17 let's see, what was it, "My Cousin Vinnie," and I won
18 the point.

19 MAX: (Laughter.)

20 WAYNE: I won the point.

21 MAX: All right. "Your Cousin Vinnie."

22 WAYNE: "My Cousin Vinnie."

23 MAX: The movie you mean?

24 WAYNE: "My Cousin Vinnie," yes.

25 MAX: The movie?

WAYNE: Yes.

1 MAX: Well, I haven't seen the movie so I
2 thought you were talking about a relative.

3 WAYNE: Well, the judge had.

4 MAX: Okay. Well, the points can be made I
5 suppose on anything, but --

6 WAYNE: Even the Bible.

7 MAX: -- most of all, most of all --

8 WAYNE: You can take the Bible to court too.

9 MAX: Most of all, it has to be based on fact
10 though does it not, the courtroom experience I mean,
11 and good, solid evidence, and reasonable belief in a
12 majority opinion. And I think you're suffering a lack
13 of those things where you are. The argument you're now
14 putting forth is not held up by those things that, that
15 traditionally is demanded for reasonable thought and
16 adjudication. It's not there. It's out here but it's
17 not in there.

18 WAYNE: Isaiah 59.

19 MAX: Uh-uh.

20 WAYNE: Isaiah 59.

21 MAX: Come on out. Get your head together
22 and come out.

23 WAYNE: About the condition of the legal
24 system in the last days. Isaiah Chapter 59.

25 MAX: People are concerned about you out
here. We'd like to see a good, safe resolution. We'd

1 | like to be able to call these people back and say he
2 | cares, he's responsive to your concerns, he's coming
3 | out and he's taking care of his children and he's re-
4 | entering society, he's re-entering the world. Are we
5 | going to be able to tell them that?

6 | WAYNE: Max, I'm concerned about you. It
7 | seems like you're going contrary to the truth. I'm not
8 | going to judge you, but you are in the judgment. The
9 | seven seals is a living judgment.

10 | MAX: What do you want from me? What do you
11 | want from us --

12 | WAYNE: Nothing, nothing.

13 | MAX: -- to come out of there?

14 | WAYNE: I want absolutely nothing, Max. I
15 | just want to wait for God's direction.

16 | MAX: And how do you anticipate it coming?

17 | (End Tape 1x)

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U.S. DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO & FIREARMS

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TAPE 2x

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March 9, 1993

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4:00 a.m. - 4:36 a.m.

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1 (Tape 2x)

2 WAYNE: -- at this time is, is violating
3 God's direction.

4 MAX: How can we work this out with David?
5 We seem to be at a standstill recently. We've made
6 some, some good progress in the last 24 hours. If you
7 were mediating the situation, if you were litigating
8 this situation, what proposal would you make next to
9 David if you were us to get this situation resolved?
10 Counselor?

11 WAYNE: I would exercise patience.

12 MAX: I think we should be rewarded to this
13 point then don't you? We have exercised patience.
14 Continue, please.

15 WAYNE: God does not always reward a person
16 immediately after they have performed a vow to God.

17 MAX: Okay.

18 WAYNE: God calls that rushing to the spoil.
19 In Isaiah Chapter 8 --

20 MAX: Do you think David is afraid to come
21 out?

22 WAYNE: Isaiah Chapter 8 speaks about Maher-
23 shalal-hash-baz, and I know that's a very tough name.
24 It's a Hebrew name. But your King James marginal
25 reference will tell you that Maher-shalal-hash-baz
means those who rush to the spoil.

1 MAX: Well, we haven't rushed to anything.
2 We've been sitting out here for quite a while now as
3 patient as we can be and opening up all the avenues of
4 communication we know possible. And I know that's
5 appreciated in there especially by yourself because you
6 keep coming back here on this and I, I feel good about
7 that. So, we are showing patience. And that patience
8 will extend as long as necessary to make sure that this
9 comes to a safe and reasonable conclusion. You can
10 have someone anticipate a series of tragic events or
11 interpret a series of tragic events for you, but I
12 think you're going to be disappointed. It may not be a
13 big fanfare ending like you think. You might just end
14 up coming down that road anyway. So why not start
15 tonight?

16 WAYNE: I'm waiting for God's direction.

17 MAX: As observed and interpreted by? Huh?

18 WAYNE: I didn't put any conditions.

19 MAX: I left a blank. I'm waiting for you to
20 fill it in.

21 WAYNE: If God sends direction through David
22 Korseh I'm willing to receive it through that agency.

23 MAX: Um-hum.

24 WAYNE: He does have credentials.

25 MAX: Okay. Could he send it through you?
You think you could get the inspiration first?

1 WAYNE: No. I don't believe so.

2 MAX: Why not? Could you get your own?

3 Maybe not necessarily, you know, you to lead the whole
4 group out, but maybe you could get your own.

5 WAYNE: Yeah. I could.

6 MAX: Max?

7 WAYNE: Um-hum.

8 MAX: When, when I'm dead, you know, I become
9 a soul unto the alter. It has been stated we're in the
10 fifth seal now. The souls --

11 WAYNE: I've heard that a time or two.

12 MAX: The soul unto the alter, they have
13 conversations with God. You can read it for yourself
14 in Revelation Chapter 6.

15 MAX: Um-hum.

16 WAYNE: So, yeah, there's another way.

17 MAX: Do you think David is afraid of going
18 to jail? I said there was a warrant out for him and it
19 won't go away, we know that, so some day he's going to
20 have to face it. Does he have a --

21 WAYNE: Ask --

22 MAX: -- an abnormal aversion to being, you
23 know, claustrophobia or does he have a great fear of
24 incarceration or something like that? Have you noticed
25 that?

WAYNE: Ask him.

1 MAX: I'm asking for your observation. If I
2 ask him he'd quote me Scripture and not give me an
3 answer. What do you say?

4 WAYNE: I'm saying that he may quote a lot of
5 Scripture and not give you an answer.

6 MAX: You think if, if he would come out of
7 there now without the end of the world that he would
8 lose face by -- with his followers? Do you think he's
9 afraid of that?

10 WAYNE: I think he cares about your soul,
11 souls of -- he's a very caring person. I don't think
12 he would let his ego get out of hand. I think that you
13 really don't know him.

14 MAX: I don't think anybody will ever know
15 him that well and for that reason, you know, I'd like
16 to, to talk with everybody that I can because maybe
17 someone's got some information or an observation or a
18 perception that will help us bring this thing about, a
19 safe conclusion. Because I don't know him, I don't
20 understand him, I can't understand him.

21 WAYNE: Scriptures say God is slow to anger.
22 It doesn't say that God will divert his anger or change
23 his mind or -- it says He's slow to anger. I think
24 that tells you what's going on right now in God's mind.
25 Remember, everyone who hears the seven seals is in
God's judgment.

1 MAX: Um-hum. Wayne, listen to me for just a
2 second. Would you mind with all the logic that you've
3 been able to accumulate and all the education you've
4 been received -- you have received, and all the caring
5 that you have for people who care about you, you know
6 what this world is like out here. You work in it, you
7 know it will be fair and it will be safe. You know
8 that. You know as well that you want to come out of
9 there and that you want your family to be reunited or
10 you wouldn't keep testing this line. This is a
11 lifeline for you like a life preserver is being thrown
12 out and you don't want it to go too far; you want to
13 make sure it's there. I'm guaranteeing you it is and
14 it is held by a strong rope that can pull you and your
15 loved ones to safety. Now, you think about it. You
16 start your -- get -- put your logic in gear and ram
17 your foot to the floor and do something before it's too
18 late. All right?

19 WAYNE: Well --

20 MAX: I'm not asking you right now. Think
21 about it. This line is always here for you or anybody
22 else. Somebody that cares out here, somebody that will
23 give you some right answers without a million
24 Scriptures that you can't interpret; somebody out here
25 with as much logic as in your lawbooks --

 WAYNE: No, that's, that's not --

1 MAX: -- and it's based on as much history.

2 WAYNE: The Scriptures I've been given have
3 been harmonized.

4 MAX: Well, there's --

5 WAYNE: They have not been scattered, they
6 have not been disorganized. I've been given light and
7 understanding, insight, into the Scriptures.

8 MAX: You were given some intelligence long
9 time ago too. You best use that also.

10 WAYNE: Max, why do you keep a Bible in your
11 home?

12 MAX: Who said I did?

13 WAYNE: Everyone does. It's the world's
14 best-selling book. People --

15 MAX: If you know everybody has one why do
16 you think they keep one then?

17 WAYNE: They have stockpiles of books -- of
18 Bibles in their homes, all different kinds. People
19 keep buying that book over and over again. But when
20 you, you ask them to refer to it, it's, get real, think
21 about the world, do this, do that. The Bible becomes a
22 curse when it's in your home and you disregard it like
23 that. You know, David Koresh wrote a song, it's my
24 favorite song that he wrote, and I wish I could
25 remember all the words to it, but the name of the song
is, "It's a Bookshelf Religion," and the verse goes

1 something like this. It poses a question: What would
2 you do if the book came down and it danced in circles?
3 Would you rip off its cover? Would you tear out its
4 pages in fits of human rages? And then it comes to the
5 chorus which repeats over and over again: It's a
6 bookshelf religion. I hope you don't regard the Bible
7 in that light. All these texts and keys that David
8 Koresh has given you should be something there for you
9 to, to study out. And yes, you can go to your pastors
10 and scholars and theologians and ask them for their
11 opinions and compare and then you should be convicted.
12 That's how the judgment works, by hearing the word
13 about the seven seals. You'll find that other peoples'
14 interpretations of the seven seals are based on
15 tradition, based on logic, based on science, history,
16 based on everything under the sun except the
17 prophecies. They cannot show you in the prophecies
18 where the seven seals were found. David Koresh was the
19 first person who revealed and disclosed those things to
20 you, just as he was the first person to reveal and
21 disclose those truths to me. He has the credentials.
22 You don't know what you're dealing with.

23 MAX: Are you sure you do?

24 WAYNE: Yes.

25 MAX: Well, counselor, I will place a matter
of record on the record. I want you to know that you

1 and anyone you choose and anyone in there can come out
2 of there safely and that it is apparently a free and
3 voluntary effort, free and voluntary decision that
4 you're staying in there. And counselor, you have the
5 power and you have the wisdom to change that for you
6 and the others. I think what a lot of those people in
7 there need is just someone that will start marching in
8 the right direction. I think they're so confused. I
9 really think their leader has been discredited. I
10 really think that they will follow someone who would
11 march in a direction --

12 WAYNE: They've --

13 MAX: -- of safety.

14 WAYNE: They've already had poor examples.
15 What did Robert Gonzalez do? Psalms 55. And even yet
16 David Koresh is willing to get on the telephone and
17 talk with that person. That's mercy.

18 MAX: Have you given up on Jamie?

19 WAYNE: Let me say that the doctors that I've
20 talked to have given up on Jamie.

21 MAX: So, doesn't that mean he needs that
22 much more support from you?

23 WAYNE: He's getting it.

24 MAX: From?

25 WAYNE: From me. I'm doing what's best for
Jamie.

1 MAX: Could you elaborate on that? I fail to
2 understand the logic.

3 WAYNE: It's a biblical reference, Isaiah 35.

4 MAX: Well, it just appears to me that he'd
5 be better off with you and I know you care about him.
6 I've heard it in your voice. I know you do. Think
7 there's anything to it that -- well, who decided that
8 Jamie would come out anyway? Whose decision was it?
9 Was that David's to send out your children while his
10 stayed?

11 WAYNE: You can ask him about that.

12 MAX: No, I'm asking you. You know. It's
13 your child involved. And if so, why?

14 WAYNE: I don't think it's important whose
15 decision it was.

16 MAX: I think Jamie is very important. I'm
17 surprised to hear you say that. I think he needs you.

18 WAYNE: I think what's at stake is so
19 important to so many people that we need to seek God's
20 kingdom first. Everything else God has promised to add
21 to us. We have to --

22 MAX: And it takes --

23 WAYNE: -- get our priorities straight.

24 MAX: And it takes this separation from you
25 from your child for it to all come true. I find that
ungodly.

1 WAYNE: But you cannot say it's ungodly.
2 Read Isaiah 49. Isaiah 49 is godly. Read the Gospels
3 where Christ says don't even put a husband or a wife, a
4 father or a mother, a son or daughter or a brother or a
5 sister ahead of your, your service to God.

6 MAX: What if you misjudged this one, Wayne?

7 WAYNE: Then I'm responsible.

8 MAX: Yes.

9 WAYNE: But read the Scriptures where it says
10 the elect will almost be deceived. God does not tempt
11 us beyond what we can bear. God does not give us truth
12 and then deceive us. God gives us truth in the word.

13 MAX: You're a bigger gambler than I thought,
14 Wayne. Challenged you to a little gambling earlier,
15 but you're, but you're a bigger gambler than I thought.

16 WAYNE: God has raised --

17 MAX: You're laying a lot out there on the
18 line.

19 WAYNE: God has raised the stakes. You need
20 to fold your cards and put your trust in God. God is
21 the dealer.

22 MAX: I think you ought to play out the hand
23 a little further before you give up on it.

24 WAYNE: To the wicked God is a treacherous
25 dealer.

 MAX: Wayne, are you considering suicide?

1 WAYNE: No.

2 MAX: As part of this solution yourself, or
3 as part of the solution, is, is David considering
4 suicide for you? Huh?

5 WAYNE: Ask him.

6 MAX: I'm, I'm asking you.

7 WAYNE: I don't --

8 MAX: I can't get a straight answer from him.
9 I have better, better luck with you on straight
10 answers.

11 WAYNE: If --

12 MAX: You'll give you one every now and then.

13 WAYNE: If you want a straight answer from,
14 from God's voice, read Ezekiel --

15 MAX: I want a straight answer from, from
16 Wayne's voice and Wayne's mind and Wayne's heart and
17 Wayne's knowledge.

18 WAYNE: Wayne's knowledge is Ezekiel 13 and
19 14.

20 MAX: Well --

21 WAYNE: If you have an idol in your heart --

22 MAX: -- that's been distorted by David.

23 WAYNE: If you have an idol in your heart and
24 you ask a question of God, God will not be kind to the
25 person who asks nor to the person that answers.

MAX: Well, if -- you're so mysterious about,

1 | you know, a few things like Jamie's care and you've got
2 | him taken care of and all that and, and you sound so,
3 | so sad and so disappointed and depressed when you call
4 | in here to me I have, I have to wonder and I want an
5 | answer. I won't be comfortable as long as you keep
6 | equivocating on me. I want an answer.

7 | WAYNE: I am rejoicing.

8 | MAX: No, you're not.

9 | WAYNE: Wait, wait, wait. I told --

10 | MAX: Rejoicing people don't sound like you
11 | sound.

12 | WAYNE: I told you long ago, this is not a
13 | Pentecostal religion. It's not a cult either. It is
14 | not a Pentecostal religion. According to Texas law
15 | it's an unincorporated religious association.

16 | MAX: See, you do know something about what
17 | you're in.

18 | WAYNE: But it's not Pentecostal. We do not
19 | trust our emotions to tell us one day that we feel
20 | happy so we're saved and the next day we feel unhappy
21 | so we must be lost. Now, God says come and let us
22 | reason together. We have a rational understanding of
23 | the Scriptures and that is our foundation. We know our
24 | God sits on a throne, he has a book in his hand. He's
25 | given that book to no other person except the Lamb.
And that the person who unlocks the seals has to be

1 | that person, the Lamb. Simple.

2 | MAX: The exact same words David used a
3 | hundred times. Didn't, didn't answer my question
4 | though.

5 | WAYNE: Well --

6 | MAX: Is this rejoicing going to end in
7 | you're killing yourself?

8 | WAYNE: Why has David said about that?

9 | MAX: It doesn't matter to me. What does
10 | Wayne say about it?

11 | WAYNE: He says that he is not contemplating
12 | suicide.

13 | MAX: Thank you. Thank you for saying that.
14 | That's all I wanted to hear in that subject area, the
15 | question -- the answer I was trying to get.

16 | WAYNE: But you knew that.

17 | MAX: No, no. I did want to hear it from
18 | you. You sure sound, you know, like you've reached a
19 | low ebb. When you called in here on those other times
20 | and you tell me how evil we are and how we're the
21 | enemies of the seven seals, it, it sounds like you've,
22 | you know, just, just --

23 | WAYNE: I said, I said you were blocking,
24 | blocking the publishing of the seven seals --

25 | MAX: Okay. Well, you had some, you had some
enthusiasm, you had some life in your voice, you know?

1 WAYNE: I said those --

2 MAX: The times like these you're so --

3 WAYNE: I said those that came during the
4 first raid did not know anything about the seven seals.

5 MAX: Well, when you're talking, you know, at
6 times like these and we talk about subjects matter like
7 these and you tell me how, how joyful you are, you
8 sound so hypnotic, you sound so manipulative, you sound
9 like, you know, I would expect a zombie out of an old
10 class B movie to sound.

11 WAYNE: (Laughter)

12 MAX: Hey. That's the first pleasant sound
13 I've heard from you this evening. I'm glad you can do
14 it. You know what I'm talking about then, right?
15 Right. Of course, I've been told I sound the same way
16 especially by my students.

17 WAYNE: Well --

18 MAX: But I can't -- you know, it, it
19 confuses me a little and I'm concerned when I hear you
20 sound that depressed and kind of unenthused about your
21 prospects in your life.

22 WAYNE: I'm sorry I don't sound like I'm
23 rejoicing.

24 MAX: Well --

25 WAYNE: But it's a rational rejoicing.

MAX: Okay. Well, you sound a bit better

1 | anyway. And I'm glad to hear that -- and I'm holding
2 | you to that now -- that you're not, you know, thinking
3 | about hurting yourself or anybody else. When people
4 | have left there, David -- I mean, Wayne -- see, I'm
5 | talking to that guy too much. You say I don't talk to
6 | him, I talk to him so much he's the only name I can
7 | repeat. When people leave there, who has choose --
8 | done the choosing who would go, who would stay?

9 | WAYNE: I haven't been a part of that so I
10 | don't know.

11 | MAX: Okay. Who was?

12 | WAYNE: I don't know.

13 | MAX: You don't --

14 | WAYNE: I wasn't there.

15 | MAX: You, you don't know?

16 | WAYNE: No, I don't know. Factually.

17 | MAX: Then it means that regardless of what
18 | you might think about going, really wanting to go or
19 | really wanting to stay, if --

20 | WAYNE: Do you --

21 | MAX: -- someone else said no you can't, then
22 | you couldn't?

23 | WAYNE: Do you want me give you a rumor or
24 | maybe hearsay? What are you asking for?

25 | MAX: The truth. Who makes the decision or
 | who goes and who stays?

1 WAYNE: Let's make it a bargaining chip.

2 MAX: Hmm.

3 WAYNE: Hmm.

4 MAX: What do you say, mister negotiator?
5 What's your deal?

6 WAYNE: My deal is I'm going to wait for
7 God's direction. I hope you wait, I hope the
8 government waits.

9 MAX: Well, do you think the government could
10 take some action that would foil God?

11 WAYNE: No.

12 MAX: I doubt it, right?

13 WAYNE: I, I don't --

14 MAX: I doubt it. I really doubt it. Now, I
15 don't know a lot about it but I doubt it would happen.
16 So, why don't we pacify the government and make sure
17 everybody is safe and --

18 WAYNE: No, no, let's not pacify the
19 government.

20 MAX: -- and then God's going to have his way
21 anyway?

22 WAYNE: You know, there have been governments
23 in history that have repented and followed God's
24 direction and I'm hoping that this government will be
25 wise.

MAX: Well --

1 WAYNE: I hope it will pass the test and get
2 an A.

3 MAX: Um-hum. Well, I hope when that test
4 comes we will also. David (sic), I don't know. I
5 thought when we started here that, that you might have
6 had a freedom of choice, that you might have had the
7 power to walk out of there if you wanted to on your own
8 --

9 WAYNE: The Bible says --

10 MAX: -- and that you were staying there of
11 your own free will. But, you know, I don't really
12 believe that anymore.

13 WAYNE: The Bible says --

14 MAX: I think David has chosen the ones that
15 will go and the ones that will stay and for some reason
16 you drew the short lot, you're staying because you've
17 been told to stay and you've been told to send your
18 children out and it was some kind of test, it was some
19 kind of loyalty test, it was some kind of punishment
20 maybe, but that's the situation you find yourself in
21 and you're sadly trying to make the best of it by
22 reasoning to the -- your -- with irrational statements
23 through the Scriptures with me.

24 WAYNE: But the Bible says we are prisoners
25 of hope.

 MAX: Was I wrong in what I just said or was

1 I exactly right? You just proved it.

2 WAYNE: It's a theory. It's a theory.

3 MAX: Well, and I haven't been -- haven't
4 talked to anyone that's been able to convince me
5 otherwise.

6 WAYNE: Well, what does the Bible say?

7 MAX: Well, the way I've been hearing it over
8 this phone it's not going to convince me either because
9 I, I hear too many interpretations and I'm not
10 just -- I'm just not willing to get into something that
11 confusing for me. I, I like to sit out here and deal
12 about life, try to save lives in the way that I know
13 how.

14 WAYNE: Science doesn't understand life.

15 MAX: Science? What does any of this have to
16 do with science?

17 WAYNE: You reject a biblical reference and
18 you talk about life. What is your standard?

19 MAX: I try to save lives when I can. I try
20 to lead people to safety. I try to get people out of
21 situations where guns are pointed back and forth and
22 where guns were fired in the past and I try to bring
23 them into the system that will --

24 WAYNE: Is that what God wants you to do with
25 your life? How do you --

MAX: Hey. I feel pretty strongly about it

1 and if it was wrong I think he might change me. And
2 I've felt pretty good about it. I felt some damn near
3 religious experiences from having done well --

4 WAYNE: Well, those are feelings.

5 MAX: -- in these areas.

6 WAYNE: Those are feelings. But how do you
7 know you're doing what God wants you to do?

8 MAX: I measure things that way. I don't.

9 WAYNE: Well, you could find out.

10 MAX: I know well enough. I don't have to
11 have somebody else flipping through the pages --

12 WAYNE: So --

13 MAX: -- telling me whether I'm doing well or
14 not.

15 WAYNE: Who's gambling?

16 MAX: You are.

17 WAYNE: No, you are.

18 MAX: Because you're depending on somebody
19 else to tell you. You're letting someone else read and
20 decipher and direct and establish your goals.

21 WAYNE: And you don't know because you won't
22 depend on someone else to flip the pages and tell you.

23 MAX: You're a lawyer.

24 WAYNE: You say --

25 MAX: You don't try, you don't try your cases
this way and you won't win this one this way either.

1 It's just like if you had it --

2 WAYNE: You know, there is such a thing as
3 case dismissed. There is such a thing as case
4 dismissed on the basis of new evidence. Lawyers win
5 cases that way, you know that?

6 MAX: Yeah.

7 WAYNE: Also, consider history forgives.
8 I'm quoting, let's see, I don't want to use his name.
9 Said history will forgive me, and it did.

10 MAX: God probably would too from what I've
11 heard. If you would not turn your back on your family,
12 if you would walk out and accept responsibility for
13 them and try to lead them, I think if you were wrong in
14 doing that God would forgive you, but someone how I
15 kind of get the idea that's what he would want you to
16 do.

17 WAYNE: I have committed many moral sins and
18 I'm hoping God will forgive me for those.

19 MAX: Okay.

20 WAYNE: The Bible says he will.

21 MAX: Okay.

22 WAYNE: And that he will cover them.

23 MAX: Well, I think you're gambling again
24 because I, I can't -- couldn't find it, I'm not a
25 researcher, but I can't remember it anywhere that says
you got to turn your back on your family and --

1 WAYNE: Is that a --

2 MAX: -- and the rest of the world.

3 WAYNE: Is under the U.S. Code?

4 MAX: It's something --

5 WAYNE: I don't recall seeing it there, Max,
6 what you're talking about.

7 MAX: I don't recall hearing it or seeing it
8 from, from the Bible anywhere either.

9 WAYNE: Well, I don't believe --

10 MAX: I'm not a scholar talking, not a
11 scholar talking, but popular, popular conversation has
12 it that you don't have to give up your family and you
13 don't have to give up your loved ones and turn your --

14 WAYNE: I'm not.

15 MAX: -- back on your country to go to God.
16 It's a --

17 WAYNE: Do you --

18 MAX: -- a popular rumor out here.

19 WAYNE: You enforce the U.S. Code, do you
20 not?

21 MAX: I try to.

22 WAYNE: You're part of the FBI, right?

23 MAX: Right, like you're part of the judicial
24 system.

25 WAYNE: And as part of the FBI keep in mind
that -- that being -- that, that officer of the court

1 business --

2 MAX: Um-hum.

3 WAYNE: -- I'm a private attorney.

4 MAX: Um-hum.

5 WAYNE: I try to make my point as forcefully
6 as I can.

7 MAX: Um-hum.

8 WAYNE: I do not work for you.

9 (End Tape 2x)

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TAPE #3

2/28/93

1 (Tape 3)

2 MR. KAVANAUGH: We on now? Is it coming on?
3 Red light?

4 (Telephone ringing)

5 MR. KAVANAUGH: Yeah, David, they just moved
6 [gap] they're not coming toward you.

7 UNIDENTIFIED FEMALE SPEAKER: It starts and
8 then it quits. The batteries are out.

9 UNIDENTIFIED MALE SPEAKER #3: You need AA
10 batteries?

11 UNIDENTIFIED FEMALE SPEAKER: Um-hum.

12 STEVE: Yes?

13 MR. KAVANAUGH: The news conference. Okay.
14 What happened? I didn't hear it.

15 STEVE: Well, anyway, David wanted to know if
16 you got his message out yet on the airwaves.

17 MR. KAVANAUGH: No, that -- no, here's what I
18 was trying to work out with David. I can get the
19 message played -- I know, but he, he just --

20 STEVE: I'm going to get off the phone
21 because, you know, that's, that's the thing that -- he
22 said to you and that's what's going to be.

23 MR. KAVANAUGH: Steve?

24 STEVE: Yeah?

25 MR. KAVANAUGH: Can I talk to him?

STEVE: You walk to talk -- no.

1 MR. KAVANAUGH: Okay. Well, I, I really want
2 to do it, I want to get it on there but, you know,
3 we've, we've already put one message on there and --

4 STEVE: I haven't heard any.

5 MR. KAVANAUGH: Yeah, David heard it. [gap]

6 STEVE: We want to resolve it.

7 MR. KAVANAUGH: I want to resolve it, and you
8 do too. And what I'm saying is, let's make an, an
9 agreement -- going to have it played and then I'm going
10 to -- I, I want to get some kids or wounded out, okay?
11 I'm going to do the thing first. We've already played
12 one message, you know. [gap] Okay. Okay. I need to
13 sack -- hit the sack.

14 (End Tape 3)

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TAPE #4x

3/17/93
Ending at 1:28 P.M.

1 (Tape 4x)

2 STEVE SCHNEIDER: Hello, John?

3 JOHN: Yes?

4 STEVE SCHNEIDER: I'll wait till your phone's
5 working.

6 JOHN: I'm not very technical here, Steve,
7 and things are --

8 STEVE SCHNEIDER: What's that?

9 JOHN: I'm not very technical here. I don't
10 know what those buzzers and -- buzzers are for.

11 STEVE SCHNEIDER: Okay. Now, it sounds like
12 you've got a real echo there. I guess you've got it on
13 a speaker phone, huh?

14 JOHN: Yeah.

15 STEVE SCHNEIDER: Okay. That's all right.
16 Yeah, I was just talking with David. Apparently, he
17 heard this Dr. Arnold speaking and raising questions,
18 and also saying he had a lot to share. And he said
19 it'd go a long ways to be able to communicate with the
20 man or to dialogue with him.

21 JOHN: Um-hum.

22 STEVE SCHNEIDER: And a lot of these people
23 were nearby and they said yeah, they'd like to hear
24 that, they'd like to hear another point of view or
25 perspective. They'd like to see questions raised by
someone of his caliber. The man also mentioned a

1 | Dr. James Taber (phonetic sp.) from the University of
2 | North Carolina, apparently, that's aware of all this
3 | and must have heard that 58-minute tape that he did and
4 | has a reaction to it. So, I mean, Philip Arnold
5 | himself I guess mentioned this man, James Taber.

6 | JOHN: And where is Arnold from?

7 | STEVE SCHNEIDER: Arnold, he's from Reunion
8 | Institute in Houston.

9 | JOHN: Okay.

10 | STEVE SCHNEIDER: And I believe -- I don't
11 | know if you already contacted him. I mean, you know, I
12 | don't know --

13 | JOHN: So we've got Arnold and Taber?

14 | STEVE SCHNEIDER: Taber is a man that Philip
15 | Arnold -- He was just on the radio about -- I think
16 | about a half hour ago or so, and I guess they picked up
17 | on that again. The man mentioned another doctor by the
18 | name of James Taber from the University of North
19 | Carolina. He's apparently a doctor of either
20 | philosophy or theology himself.

21 | JOHN: Okay.

22 | STEVE SCHNEIDER: And he must have heard that
23 | 58-minute tape David did and does have a reaction to
24 | it. But it sounds like they're both very updated on,
25 | you know, the theology of David, or at least they're,
they're aware of it and I guess they've made known that

1 they have a response to it.

2 JOHN: Okay. Steve, the, the thing that I
3 wanted to mention, Byron I believe has a tape of
4 Dr. Arnold's message or something like that that, that
5 Byron was going to give you, along with answering some
6 of those questions. And it's critical. He's got other
7 information that he wants to give you. You know, he's
8 on his way out there. He'll be there approximately,
9 you know, be ready to meet you approximately 1:00.

10 STEVE SCHNEIDER: Well --

11 JOHN: And he'll pull down the road there --

12 STEVE SCHNEIDER: Well, John --

13 JOHN: -- in just the same way as, as the
14 other meeting.

15 STEVE SCHNEIDER: John, wait.

16 JOHN: Yeah?

17 STEVE SCHNEIDER: David suggested, for right
18 now, he suggested to me that I wait to hear what the
19 information is before we get to really negotiate or
20 stand and talk again. He says --

21 JOHN: Steve, let me, let me interrupt you
22 here. It's crucial. Byron has some information -- I'm
23 not privy to it. Can't discuss it over the phone -- to
24 give to you personally. You mentioned the other day
25 that the meeting went well and that you were interested
in talking to him, and it's critical that you meet with

1 him. Okay? Assurances of your safety, you know, are,
2 are there, but he's been in touch with D.C. and he has
3 some information that he wanted to give to you
4 personally and is -- About 1:00 would be good because
5 if you have any other questions, he'll be able to run
6 them down the rest of the day.

7 He's been running all over the place, but he
8 is en route out there and he's going to meet you at 1.

9 STEVE SCHNEIDER: When you say critical --

10 JOHN: Legal items, legal items that Wayne
11 wanted, are one of the things. The tape from Dr.
12 Arnold is another thing. But he's got something else
13 that I'm not privy to that he's received from the
14 command post here that he has to tell you.

15 STEVE SCHNEIDER: Wayne Martin's right here.
16 I'd like to have you repeat what you just said to him.

17 JOHN: All right.

18 STEVE SCHNEIDER: Okay, just a moment.

19 WAYNE MARTIN: John, I'm listening.

20 JOHN: Wayne, I was just telling Steve that
21 Byron is available and he'll be out there to meet with
22 you approximately 1:00. He's got some answers to the
23 legal issues that you brought up the other day, and
24 he's also got a tape from Dr. Arnold that some of the
25 people there and David are interested in. And he's
also, you know, going to be talking to you about any

1 other legal issues that you've thought up or thought of
2 in the past couple days.

3 WAYNE MARTIN: Well, my response to Byron,
4 I'd like to talk to him on the telephone and we already
5 have a well established method of exchanging tapes.

6 JOHN: Um-hum.

7 WAYNE MARTIN: I think we should continue
8 exchanging those tapes in the established manner. Our
9 safety is not assured when we go out and speak with you
10 and we are unarmed and we're standing in front of men
11 with machine guns.

12 JOHN: That was safety, and the safety is
13 guaranteed on, on both sides. I hope that you are
14 aware of that. But this is some critical information
15 that Byron was tasked by the people back in D.C. to
16 give to the people in there and it's going to be held
17 at the meeting. He'll be out there and it's important.
18 The sheriff will be there, also.

19 WAYNE MARTIN: Well, I, I'd be welcome -- I
20 would welcome calls from anyone in Washington that
21 would like to speak with me, also. But I am still
22 mystified as to why Byron will not get on the telephone
23 with me or these other people in Washington that we
24 have yet to even be given their names.

25 JOHN: You know, Wayne, how are we going to
establish trust between the two of us if, if you'll

1 refuse this meeting? It was my understanding the other
2 day in talking to Steven that things went well. He
3 appreciated talking to Byron. It was good to look at
4 him face to face. Byron and he had a good rapport
5 going. You got a chance to raise some questions that
6 he has been running around here checking on.

7 And, you know, we're trying to keep good
8 faith with this, we're trying to meet you and discuss
9 these issues. And, you know, he's been tasked to
10 personally talk to you out there and answer any
11 questions. And, like I say, the other day you say that
12 it went well and, and it was good to talk to the
13 sheriff. It's, it's from D.C. I'm not privy to it.
14 He was told not to deliver it over the phone, but in,
15 in person. Assurances of your safety, just the same
16 way as the other day You know, that's, that's what
17 I've got.

18 WAYNE MARTIN: John, you and I really don't
19 know each other. I know Byron. Byron is not getting
20 on the phone with me. It's beginning to look like a
21 trap to me.

22 JOHN: There's, there's no trap. Wayne, you
23 know, you're an attorney and you know that this thing
24 has gone on, that there's a lot of press coverage. It
25 is not a trap, it's just a face-to-face meeting. It
went well the other day. You had some questions, some

1 | legitimate questions. Did we trap you last time?

2 | WAYNE MARTIN: No, it did not happen last
3 | time.

4 | JOHN: Okay. And it won't happen this time.
5 | We just want to talk to you. He's been tasked. If you
6 | don't want to come out, if you want to give the
7 | questions to Steve and have him come out, that's fine.
8 | But this is, this is not a trap. It's Byron discussing
9 | these matters with you face to face.

10 | WAYNE MARTIN: Well --

11 | JOHN: And he is en route out there. He'll
12 | be out there about 1:00 and he's got some important
13 | information, some critical information that he, he was
14 | tasked to deliver in person. And we'll guarantee your
15 | safety and you've just got to help us help you.

16 | WAYNE MARTIN: Well, I, I'd like to hear from
17 | Byron and know that Byron himself is going to be there.

18 | JOHN: Well, you know, let's put it this way,
19 | Wayne. You will see him and he will -- You know, you
20 | know what he looks like, you talked to him the other
21 | day. It'll be the same way. If it's not Byron out
22 | there, you can turn around and, and walk back. And
23 | like the sheriff, also, you've talked to the sheriff
24 | and I believe you trust him in there. Do you not? I
25 | think that's reasonable, the sheriff and, and you and
 | Steve and Byron met the other day.

1 We got something accomplished and he wants to
2 discuss that with you, plus this other information.
3 Plus, if the tape is as important as Steven says it is,
4 we've got that tape from Dr. Arnold that he can review.

5 WAYNE MARTIN: Well, I think it's reasonable
6 for me to request to speak with Byron, and, and I'm not
7 going to go any further than that. I'm going to pass
8 this phone call over to Steve.

9 JOHN: Wayne, why don't we do this? When he
10 gets out there closer to the, to the camp out there, he
11 will call you and assure you that he's going to --

12 STEVE SCHNEIDER: Hello?

13 JOHN: -- meet you at the road? Hello.

14 STEVE SCHNEIDER: Yes.

15 JOHN: All right?

16 STEVE SCHNEIDER: It sounded -- I was
17 listening to the conversation, at least what Wayne was
18 saying, and it sounded very reasonable to me at this
19 point of time.

20 JOHN: Steve, like I say, it went well the
21 other day. We're trying to --

22 STEVE SCHNEIDER: I was, I was quite
23 surprised. They told us, you know, don't be armed.
24 They wouldn't be armed, of course. The reaction of the
25 two men that were behind both Byron and Jack, they had
a bullet-proof vest from the neck all the way to their

1 | groin area. They had --

2 | JOHN: Steve, they're there for security
3 | purposes.

4 | STEVE SCHNEIDER: The way they even acted,
5 | seriously, no smiles. The way they were constantly
6 | pointing and then were so jittery.

7 | JOHN: Steve, if they wanted to hurt you,
8 | they could have. You know that.

9 | STEVE SCHNEIDER: I know that, but, you know,
10 | that kind of thing is unsettling.

11 | JOHN: Yeah.

12 | STEVE SCHNEIDER: But, you know, I don't see
13 | the necessity my -- I thought that, that Wayne actually
14 | explained it very well. I don't see the necessity just
15 | yet. Now, it's not that I'm not willing, because I
16 | will be at some point of time, but right now, until we
17 | clarify a few things, and that can be done, like he
18 | said, over the phone --

19 | JOHN: When, when would that be?

20 | STEVE SCHNEIDER: That can be today, right
21 | now. It can be when Byron calls. I'm anxious, as he
22 | is, to hear the information he already has. And if
23 | there's a tape, like he said, it's already been
24 | established, the very procedure, and it works. And
25 | give us a little time --

 JOHN: Steve --

1 STEVE SCHNEIDER: -- to, to look over the
2 information and to make a valuable judgment over that.

3 JOHN: Okay, listen. Steve, Byron will go up
4 front and he will call you from there. And if you have
5 any reservations, if you see that, that that's not them
6 out there, you have every opportunity to turn around
7 and, and go back.

8 STEVE SCHNEIDER: But what I --

9 JOHN: This is a good faith effort that we're
10 carrying up there.

11 STEVE SCHNEIDER: I really -- Explain,
12 explain to me, John, why it would need to be face to
13 face or person to person. I don't quite see the need
14 or the necessity of that.

15 JOHN: If I knew it, Steve, I would tell you.
16 But these are directions that we've received from
17 Command Post and, you know, you yourself said --

18 STEVE SCHNEIDER: If you could give me --

19 JOHN: -- the other day --

20 STEVE SCHNEIDER: -- a good reason, if you
21 could give me a good reason for it, it would definitely
22 help me.

23 JOHN: He has some things to give to you.

24 STEVE SCHNEIDER: I know, but you've been
25 giving us things right along and it has not been
necessary that a -- someone hand it to a person.

1 JOHN: He wants to give it to you, possibly
2 explain some things to you. Like I say, we've been
3 working with you. You, you know, you agreed to the
4 last meeting and it was productive, was it not?

5 STEVE SCHNEIDER: True.

6 JOHN: Was it not a productive meeting?

7 STEVE SCHNEIDER: It was -- Well, in honesty,
8 in honesty, I do see that we could have done the same
9 thing over the phone. But, I mean, I see that it was
10 okay. I didn't really appreciate or enjoy the, the
11 fact that there were the two men so armed, so jittery,
12 pointing their weapons around toward our direction with
13 the attitude they manifested in their faces and stance.
14 But --

15 JOHN: Was there a problem with that? Didn't
16 you return safely, as we had promised?

17 STEVE SCHNEIDER: Yes, that's correct.

18 JOHN: Okay. And this is -- this will be the
19 same thing. I'm just asking you meet us halfway, be
20 reasonable with us.

21 STEVE SCHNEIDER: I'll have to call you back
22 on that.

23 JOHN: What's that?

24 STEVE SCHNEIDER: On my decision.

25 JOHN: Well, can you tell me when you'll
call?

1 STEVE SCHNEIDER: It'll probably be within
2 the next 20 minutes.

3 JOHN: Is, is that a definite time that you
4 think you'll call or --

5 STEVE SCHNEIDER: Okay, 20 minutes from now
6 I'll call you back.

7 JOHN: All right.

8 STEVE SCHNEIDER: Okay.

9 JOHN: On this phone?

10 STEVE SCHNEIDER: Yes.

11 JOHN: Okay.

12 STEVE SCHNEIDER: Okay, bye.

13 JOHN: Bye-bye.

14 * * * * *

15 STEVE SCHNEIDER: -- with the phone here? I
16 have spent -- You know, I wanted to call you in 20
17 minutes, but it's been busy until right now, till --
18 First, it rang just now.

19 JOHN: Your phone has been busy or ours?

20 STEVE SCHNEIDER: Yours. You know, the phone
21 that I've been calling from this morning, normally you
22 pick it up, it's got a dial -- or it starts ringing you
23 right away, right?

24 JOHN: Uh-huh.

25 STEVE SCHNEIDER: And within 20 minutes, like
I told you, I picked the phone up. It's been busy

1 | until right now. It, it just rang 30 seconds ago and
2 | there was a bunch of clickings. I put it back down,
3 | and then I was able to get through to you. So it must
4 | be on your end then.

5 | JOHN: Well, we, we're, you know, we have
6 | these technical problems we're just going to have to
7 | work through, Steve.

8 | STEVE SCHNEIDER: All right. Just so you're
9 | aware, though.

10 | JOHN: All right.

11 | STEVE SCHNEIDER: I mean, I did attempt to
12 | pick it up at 20 minutes after.

13 | JOHN: You know, these phones and things like
14 | that, like the other night with the power down or the
15 | line was down because of the rain and stuff like that,
16 | we're just going to have to work through that. And if,
17 | you know, if we don't hear from each other, we're just
18 | going to have to call each other.

19 | STEVE SCHNEIDER: Yeah. Yeah. It's not a
20 | problem on my part, you know, so it's all right. Okay,
21 | I went and David was awake, so I went and spent some
22 | time with him 'cause it's been a while since I've heard
23 | his reaction to what's on his mind, if God has said
24 | anything to him, what his responses about this
25 | Dr. Arnold or this Taber, because he did get to hear
 | it. And I wanted to hear what he might have to say,

1 and a lot of people are waiting to see, you know, if
2 God has said a word to him.

3 And he mentioned again, like I said, his
4 interest in communicating or dialoguing with anybody
5 like -- if they're a theologian or if they have
6 something in reaction or response to. He said
7 something to the effect that if someone can at least
8 equal his statements on the Seven Seals or give another
9 view that has substance in the scripture, in its
10 context, so he mentioned, he mentioned to me to relay
11 that.

12 JOHN: Um-hum.

13 STEVE SCHNEIDER: I said where's the
14 Newsweek, Time magazines. I said if there's a tape
15 from Arnold -- he says he still wants to -- he would
16 like to dialogue with the man, but if you have the
17 tape, you know, drop it off. Here's some of his
18 statements. I just sat down and I jotted a few notes
19 down. He said, you know, of course, there's been the
20 lights being brought closer and closer with the
21 Bradleys.

22 He sees that as an encroachment. He says
23 we've been allowing that, but he says never --

24 JOHN: I'm sorry, Steve --

25 STEVE SCHNEIDER: Pardon?

JOHN: -- can you repeat that, please?

1 STEVE SCHNEIDER: Yes. He said, you know, of
2 course, the Bradleys are bringing the lights and the
3 generators, the speakers, probably listening devices,
4 whatever else, closer and closer. He said that that is
5 an encroachment. We haven't really said much about it,
6 but he says it is an encroachment and we're watching
7 it. It's not that we have said we enjoy it or anything
8 like that, but he, he wanted me to say that God will be
9 doing the same thing. He mentioned that that Sunday
10 that this all came place the innocency on the part of
11 all the people here, sitting here getting ready for a
12 study, he was not happy, as neither were the people, at
13 that press conference today in response to the ATF
14 agent.

15 Not, not your people as much as when the man
16 gets on and makes some of the statements he did, how
17 they knocked at the door. That is not true. The man
18 did not knock at the door. It's totally untrue that --
19 what he said about the helicopters. There was -- When
20 you look at the building, you're going to see a
21 diagonal of the way the, the bullets came into his room
22 from a high position, along with -- there was water
23 tanks that were shot.

24 JOHN: Steve --

25 STEVE SCHNEIDER: You'll also see the
diagonal from that.

1 JOHN: I, I understand his concerns and I
2 understand your concerns --

3 STEVE SCHNEIDER: But, John --

4 JOHN: -- with this whole situation.

5 STEVE SCHNEIDER: But, but what I'm saying,
6 what I'm saying is here's this man -- Now, here's what
7 he's telling me. Here's what he's telling me. That
8 this ATF spokesperson, here he's making all these
9 statements to the press that are so untrue, and he
10 knows that. I mean, they had -- Never has it been
11 brought up in the press that I have heard that three
12 choppers came around these buildings. There were many
13 witnesses that got to see what happened.

14 If they would only tell even a partial truth,
15 but these men are totally denying much of what took
16 place. That bothers David. He, he says that does not
17 help in this whole process. These are the kind of
18 things that unsettle people, these are the kind of
19 things I've been trying to explain to the people, that
20 well, let's -- You know, the FBI seems to be the
21 negotiators, but yet, here's a man that seems to have
22 all this room to make these kind of statements.

23 Wayne Martin, the people here, David,
24 everybody wants to know the part of the ATF in the
25 ongoing investigation. We don't believe that they
should even have a part. They should be investigated,

1 as we should be.

2 JOHN: But they are going to be, Steve.

3 STEVE SCHNEIDER: Yeah, but why --

4 JOHN: They are going to be investigated.

5 STEVE SCHNEIDER: No, but the point, John, is
6 we're not able to speak to the outside, to the press or
7 anybody.

8 JOHN: You will be able to. You're going to
9 have a phone --

10 STEVE SCHNEIDER: No, but wait, wait, John.
11 John --

12 JOHN: -- wherever you are.

13 STEVE SCHNEIDER: But, John, you can
14 understand me. The point is, though, the ATF is able
15 to make all these untrue statements. They should be
16 investigated, they should be closed up right now
17 themselves. All of this --

18 JOHN: You're going to have every opportunity
19 to dispute that. You'll have every opportunity to
20 dispute that.

21 STEVE SCHNEIDER: No, but, but the point is
22 that there's no fairness right now. They themselves
23 are the ones that came with the intent of murder. This
24 is what David said, this is what his statement is to
25 you people right now. They came with the intent of
murder. You can, you can fly a chopper around, you'll

1 | be able to view and see, take pictures of the bullet
2 | holes, the diagonals. You can see that ahead of time.

3 | His statement about the chopper and them not
4 | firing upon or from the chopper is totally untrue.
5 | About knocking at the door, no one knocked at the door.
6 | And he said one man came to the door. That is totally
7 | untrue. And if this was filmed by anybody, that should
8 | be shown, that should be shown. So here are statements
9 | being made to the world, to the United States, to the
10 | press that are totally false, and the man is allowed to
11 | continue to do that. That bothers all of us.

12 | I mean, where is the truth in this? How are
13 | you going to go up against an agency like that that is
14 | still in such control and able to make any kind of
15 | statements they want? Those are the concerns we have.
16 | David wanted me to bring that out. And I asked him if
17 | there was anything else and he brought up a number of
18 | other things. Some of the people came to me just --
19 | meanwhile, before -- since I've talked to you, because
20 | they listened to that last press conference.

21 | Some of the things that were said was they
22 | brought up again about how no warrant was ever served
23 | or seen or stated. There was no statement about it.
24 | Another thing was -- Let's see here. I want to look
25 | down -- I just jotted a few things they asked me to
 | mention. They mentioned something about how the lights

1 are placed on the outside to prevent any hostile
2 actions on our part, the occupants inside the building.

3 They were bothered, of course, by Kathy
4 Schroeder being shackled hand and foot. They're
5 waiting to hear the outcome of that. Another statement
6 by the ATF agent -- Now, this wasn't by you people.
7 Now, that's the point now. But the ATF person, the
8 spokesperson, said that they were fired on from at
9 least 40 to 50 positions from within inside the complex,
10 which is untrue, totally untrue.

11 Where does he get that from? Where does he
12 get that from? Why don't -- If he makes a statement
13 like that, produce some, some evidence. Anyway, that's
14 another thing that was brought up that they're
15 extremely concerned about. But, see, these, these are
16 some of the issues that they're coming back to me.
17 David again -- I, I gave you the number of things that
18 he's concerned about, the dialogue with Philip Arnold
19 and/or Taber or someone like that, where's the Time and
20 Newsweek magazines. These are the things that David
21 has brought up.

22 And, of course, his position with his God and
23 his waiting for himself as a person. So I wanted to
24 pass on -- He asked me to go and make these statements
25 to you in, in his behalf. And at the same time, some
of the individuals that were listening to the press

1 conference wanted their concerns to be heard.

2 JOHN: You know, Steve, this is all the more
3 reason for you to come out and meet with Byron, because
4 he has the answers to all these questions. Okay?

5 STEVE SCHNEIDER: Well, right --

6 JOHN: And you'll continue to be upset --

7 STEVE SCHNEIDER: John, John --

8 JOHN: -- about what you hear, unless you
9 come out and discuss it.

10 STEVE SCHNEIDER: John --

11 JOHN: And then you come out and have free
12 access to the press.

13 STEVE SCHNEIDER: -- right now I'd rather
14 hear -- Like Wayne said, I'm like Wayne on this point
15 first, I like to be able to digest information and
16 material about, first of all, like hearing some of the
17 answers that Byron might have on tape, like you said.
18 Or those answers that were raised by both Wayne and I
19 on the day before yesterday? I'd like to be able to
20 hear that, sift through it, and understand it to my --
21 the best I can, and then proceed from there.

22 And I don't see that it'd be for myself that
23 productive at this point to meet today. Not saying
24 that I'm not going through that, I don't choose to, but
25 as of today I want to see the response and, and hear
some of that information first and in a manner, as

1 Wayne said, that, you know, that we've already
2 established, in fact, which was suggested by yourself
3 in the beginning. And it's worked and I think that's
4 gone a long way to establishing or re-establishing a
5 trust relationship, even with the people that observe
6 these things.

7 JOHN: Steve, you know, the thing of it is,
8 this meeting with Byron, all right, you asked for some
9 questions to be answered the other day. You came back
10 and you personally said it was good to meet with him
11 and Sheriff Harwell, you think that we got back on
12 track that way. And that's all we're asking, is to
13 meet us again. And if you want -- if you're sincerely
14 interested in getting this matter resolved and you
15 really mean what you're telling me, the you will meet
16 with Byron. You'll see him out there and, you know,
17 these issues can be addressed.

18 STEVE SCHNEIDER: John, how can you be so
19 one-sided as to say that when that can be still
20 answered over the phone? I like Byron. I'd like to be
21 able to communicate with him more frequently myself
22 over the phone and even dialogue with him to see what
23 some of the information he has over the phone. I can
24 tape the phone conversation, I can play it to the rest.
25 Or better yet, he can make it in his own time, drop it
off along with the Newsweek and Time magazines, along

1 | with the Arnold tape, along with, with what you might
2 | have as a response to David's request for the dialogue
3 | with the same person, meaning Dr. Arnold.

4 | This is what I'd like to see, and I think we
5 | can start moving right off that. But, you know, as to
6 | this point of time, David is -- Even with me, he's
7 | suggesting to me Steve, where's the Time and Newsweek
8 | magazines? He says such a small little thing has
9 | become -- Really, there's a principle involved here.
10 | It can, and has to him, become a larger issue. So he
11 | wants to see that -- You know, these are the kind of
12 | things that started from a couple weeks ago Sunday with
13 | our understanding that was brought about with James or
14 | Jim and myself that never were really reconciled.

15 | Or on your part, of course, you know, it
16 | started out -- I hate to say it again, but it's true,
17 | you know, the Bradleys coming closer, closer, closer,
18 | even though it was stated by Jim only on the edge of
19 | the property. But, you know, those things --

20 | JOHN: Yeah. Steve, look at, look at -- We're
21 | beyond that now.

22 | STEVE SCHNEIDER: I know. That's what I'm --

23 | JOHN: We're beyond that and you keep harping
24 | on it.

25 | STEVE SCHNEIDER: No, no, no, no. No, no.
But don't --

1 JOHN: It wasn't me.

2 STEVE SCHNEIDER: John, John, don't --

3 JOHN: It wasn't my decision. Okay?

4 STEVE SCHNEIDER: No, no. But that's not the
5 point.

6 JOHN: You'll understand it, I'm sure.

7 STEVE SCHNEIDER: No, but that's what, you
8 know, will always be in the minds of those from that
9 first day. So, you know, you can't forget still
10 what -- how this all began in the first place because
11 that's why one is here. You've got to remember, we
12 were here studying the Bible the day we were attacked.
13 We were here studying the Bible, which we still want to
14 do. All of a sudden, the other agency has totally
15 disrupted and interrupted our lives.

16 And, all of a sudden, they're not on trial,
17 we're on trial. For what? I've got to come out --
18 These people have got to come out, always remember
19 this, and give up how much time? Days, months, years
20 now. Over for doing what? Studying the Bible in
21 America? And if they had something with David
22 personally, well, why didn't -- you know, the question
23 was why didn't Sheriff Harwell come or -- Everybody has
24 said that across America.

25 JOHN: And don't you think that they would
like to know the answers to those questions?

1 STEVE SCHNEIDER: Yeah, but we still see a
2 very strong part of the ATF being played in this, even
3 with the very -- The arrogancy even, some of these
4 people have suggested, of this man to say the things he
5 has, the total untruth, to be able to come there and be
6 ambiguous with detailed questions asked by the press
7 that he does not even acknowledge. I mean, these are
8 the things that these people are concerned about.

9 Why is -- What part -- And I want you or
10 someone there in your agency to tell us what part
11 they're playing right now and what effect they're going
12 to have and the authority they have, even now, their
13 total involvement all the way through, because right
14 now they're playing a humongous part as we can observe.

15 JOHN: That's exactly what Byron is there to
16 address, those questions and the questions you asked
17 the other day.

18 STEVE SCHNEIDER: I'd rather, I'd rather
19 though right now, because of all these issues being
20 raised, and I want to clarify them, I want to get them
21 clear, also, for right now today I want some of these
22 answered first before I sit down with him. Plus, when
23 I talk with Byron, I want to be able to sit down with
24 Wayne, who is not finished, but I want to sit down
25 looking at a number of issues, the legalities of this
all.

1 You know, he raised questions, but we've got
2 a, a number of other things we wanted to say in regards
3 to the legal system, and I would like to have that on
4 paper or I'd like to be able to present that, probably,
5 possibly to Byron. But I don't have that yet, so I
6 don't see at this time that I'm quite ready to meet,
7 until I have more substantive information I'd like to
8 discuss with him. I don't see that it'd be that --
9 that it would avail to that much at this point of time.

10 JOHN: Well, Steve, he's going to be up-front
11 and he's going to be calling you shortly. All right?

12 STEVE SCHNEIDER: Okay.

13 JOHN: And you can iron it out. And, like I
14 say, if you really are concerned about these issues,
15 he's going to have that information.

16 STEVE SCHNEIDER: John, you would know how
17 concerned I am. I've been so concerned from the first
18 bullet that I heard shot through that door that Sunday.
19 I mean, I am. Believe me, I'm concerned.

20 JOHN: And everybody is anxious to get to the
21 bottom of this.

22 STEVE SCHNEIDER: I was concerned when I was
23 laying on the floor and I've been concerned every day,
24 honestly I have been. How could I not be? Here my
25 life is on the line, my life is at stake, my
reputation, the future. It's all right here, of

1 | course. My beliefs in God, convictions of the Bible,
2 | and all the rest. So, you know, it's, it's a lot to
3 | wade through and it's not, it's not an easy thing,
4 | especially when there's others, also, so many others
5 | involved. So, okay, he's going to be calling here then
6 | very shortly?

7 | JOHN: Yeah.

8 | STEVE SCHNEIDER: Okay.

9 | JOHN: You know Byron, you met him the other
10 | day. I think you understand that he's a good guy.

11 | STEVE SCHNEIDER: I believe that.

12 | JOHN: And he, he's -- feels the same way
13 | everybody does here.

14 | STEVE SCHNEIDER: Good.

15 | JOHN: And, you know, the important thing is
16 | that that was a productive meeting the other day. When
17 | I first talked to you, you came back and said gee, it
18 | looks like we're getting things going here.

19 | STEVE SCHNEIDER: That's true, that's true.

20 | JOHN: And that's what we want to continue.

21 | STEVE SCHNEIDER: Okay.

22 | JOHN: You understand that?

23 | STEVE SCHNEIDER: But remember, you know,
24 | some of these issues that I've raised are -- have
25 | always been on the back burners. They, they don't
dissipate. Along with, you know, when you hear press

1 conferences with this man, this spokesperson for the
2 ATF and his statements, they're --

3 JOHN: We don't have a lot of control over
4 that. Do you understand that?

5 STEVE SCHNEIDER: I know, but, but it's --
6 No. All I need to do then, John, is hear from you
7 people a little more information about them, their part
8 to play.

9 JOHN: That's exactly what we're trying to
10 do, Steve.

11 STEVE SCHNEIDER: Okay, good, good. Okay,
12 that's going to help.

13 JOHN: Do you understand that?

14 STEVE SCHNEIDER: Right. That's why I'm
15 raising the question, John.

16 JOHN: Okay.

17 STEVE SCHNEIDER: That's why I'm raising the
18 question. John --

19 JOHN: Yeah?

20 STEVE SCHNEIDER: -- Wayne would like to
21 speak with you.

22 JOHN: Okay.

23 STEVE SCHNEIDER: Just a moment.

24 WAYNE MARTIN: John?

25 JOHN: Yes, Wayne.

WAYNE MARTIN: This is Wayne.

1 JOHN: How are you?

2 WAYNE MARTIN: John, I'm sitting here as an
3 inmate in the federal penitentiary of Mount Carmel and
4 I have a constitutional right to legal counsel. Now,
5 you say I'm not under custody. I cannot walk away from
6 this place.

7 JOHN: When you come out, Wayne --

8 WAYNE MARTIN: No, no, no, not when I come
9 out. I want legal counsel yesterday.

10 JOHN: Well --

11 WAYNE MARTIN: That is the number one legal
12 demand.

13 JOHN: It's not going to happen until you
14 come out, Wayne.

15 WAYNE MARTIN: I'm not going to sit here and
16 do research for you people. I want access to counsel,
17 and then my lawyers will speak to you about the legal
18 issues. And that's the way it's going to be.

19 JOHN: Well, Wayne, like I say, you have
20 immediate access to counsel when you come out of there,
21 and you've got immediate access to the press.

22 WAYNE MARTIN: Yesterday, John --

23 JOHN: And I know with your legal background,
24 you know, that you'll be very effective. But, you
25 know, it's going to happen when you come out.

 WAYNE MARTIN: I cannot be effective when I'm

1 sitting in a federal penitentiary. I cannot be
2 anybody's lawyer that way, not, not, not to mention my
3 own lawyer. I'm refusing to be my own lawyer, John.
4 I'm not a fool.

5 JOHN: Wayne, can I tell you something?

6 WAYNE MARTIN: I'm not a fool, John.

7 JOHN: I understand that. I understand that
8 you're a well educated man. But the thing of it is,
9 the federal judge has already ruled on that.

10 WAYNE MARTIN: I've asked that federal judge
11 to be -- to recuse himself. He needs to get off the
12 case. We need --

13 JOHN: All right.

14 WAYNE MARTIN: We need another court to be in
15 charge of this matter. That is not the only federal
16 judge in the land. We reject him as a federal judge.
17 He's unconstitutional.

18 JOHN: Well, Wayne, listen, we've talked to
19 Steve and we've told him that Byron is going to call,
20 and if, you know, like I say, if there's some problem
21 with you going out there, you know, maybe Steve could
22 go out and discuss it for you with, with Byron. But he
23 will be calling there shortly and maybe we can get some
24 things resolved that way.

25 WAYNE MARTIN: Maybe.

JOHN: Okay?

1 WAYNE MARTIN: Okay.

2 JOHN: All right. We're -- You know, we're
3 working and, and we've just got to have you work also.

4 * * * * *

5 UNIDENTIFIED MALE SPEAKER: Okay, go ahead.

6 STEVE SCHNEIDER: Okay. Hello?

7 BYRON: Steve?

8 STEVE SCHNEIDER: Yeah.

9 BYRON: Sound like you're down at the end of
10 a hole here.

11 STEVE SCHNEIDER: It's down at the end of a
12 tunnel, huh?

13 BYRON: I've been -- I can relate to that.
14 I've been sitting out here in this, in this Bradley for
15 a while.

16 STEVE SCHNEIDER: Oh.

17 BYRON: Listen, I'm, I'm -- My spirits are
18 up, I'm a little excited. I think we've been able to
19 get you some answers to some of the questions you had a
20 couple days ago.

21 STEVE SCHNEIDER: Okay.

22 BYRON: But I think you'll find very
23 receptive -- We're ready to go, right around the corner
24 from you. So what kind of time frame do you want me to
25 tell these guys?

STEVE SCHNEIDER: Well, like I was saying, if

1 | you listen -- I was just talking with John for at least
2 | probably 20 minutes, a half hour, laying down some of
3 | the concerns of David. Some of the people came to me,
4 | we talked about the press conference today, the ongoing
5 | statements by the ATF spokesperson. That is -- That,
6 | that has been a great concern also from the beginning.

7 | BYRON: Yeah.

8 | STEVE SCHNEIDER: And they're --

9 | BYRON: I saw just bits and pieces of the
10 | press conference today, so I'm a little bit at a
11 | disadvantage.

12 | STEVE SCHNEIDER: Right. Well, see, that,
13 | that is playing a big part. And the question always
14 | arises of their involvement in all this and their
15 | ongoing involvement, where David made some pretty
16 | strong statements he wanted me to relay today to either
17 | yourself or to John.

18 | BYRON: Okay.

19 | STEVE SCHNEIDER: And --

20 | BYRON: Let's go ahead and do that.

21 | STEVE SCHNEIDER: Okay. I'll try to go
22 | through the whole list again, as I did with John. I
23 | know he recorded it, but --

24 | BYRON: Well, wait a minute.

25 | STEVE SCHNEIDER: Okay.

 BYRON: Steve, I've got, I've got a bunch of

1 | people that are basically waiting on me and I've kicked
2 | them out of, out of a little phone booth here,
3 | basically, to -- just to use this for a little bit. I
4 | don't think I'm going to have access to this phone for
5 | too long. But I've got, I've got the -- I've got some
6 | documents that I think you're going to definitely --
7 | you and Wayne or you -- It's fine with me, I can talk
8 | to both of you or just you.

9 | STEVE SCHNEIDER: All right.

10 | BYRON: -- that I think you'll find
11 | interesting. And instead of just getting it word-of-
12 | mouth from me or John or, or whoever, I went ahead and
13 | made a point of, of -- I've been to the U.S. Attorney's
14 | Office, I've been to, to -- down to the federal
15 | courthouse and, and so forth, trying to get specific
16 | documents so that we can bring them out and give them
17 | to you, so that you can, you know, take those back in,
18 | show them to David, show them to Wayne, put them in
19 | your file, whatever you want to do, to show you hard
20 | and fast proof that what I'm telling you is accurate.

21 | STEVE SCHNEIDER: Okay. Well, let's let, let
22 | the established procedure by right from Jim on those
23 | first nights and days that we worked with you all, you
24 | know, the suggestion was also on your part that --
25 | where the drop-offs would be, how the procedure would
 | go. That has worked very well and --

1 BYRON: Yes, it has, but in this instance --

2 STEVE SCHNEIDER: Pardon?

3 BYRON: In this instance, Steve, we've got a
4 situation where I need to be able to point out certain
5 things to you in the documents. And I got kind of an
6 indication from, from John that, that you might be a
7 little concerned that there's some shenanigans afoot.
8 That, that is not the case. I mean, I -- The sheriff
9 and I came out in good faith, what, two days ago. We
10 were ready to go yesterday.

11 STEVE SCHNEIDER: Right.

12 BYRON: Stand there talking to you in the
13 middle of the road, I mean, I'm not going to put myself
14 in that kind of --

15 STEVE SCHNEIDER: Well, see, all, all the
16 issues that, that I need to talk to you about and
17 what -- that which I've already relayed to John here --

18 BYRON: Okay.

19 STEVE SCHNEIDER: -- are things that I want
20 you to be able to look at and hear. One of the
21 greatest concerns has always been, and still is, if not
22 all the more so, the involvement, even up to this point
23 of time, of the ATF spokesperson of that agency.

24 BYRON: Yeah.

25 STEVE SCHNEIDER: And David -- See, this is
why he wanted me to relay clearly again, especially as

1 a reaction to the press conference and so forth. He
2 says like, you know, here we were that day getting
3 ready to study the Bible in innocency. We were here by
4 choice to, to look at God's word, to gain information,
5 to live our lives accordingly, when all of that was
6 disrupted.

7 BYRON: Yeah.

8 STEVE SCHNEIDER: Not by any choice or part
9 of any of the persons here.

10 BYRON: Right.

11 STEVE SCHNEIDER: And from that point of
12 time, now, all of a sudden, we're being hurled into a
13 system which is going to take days, weeks, months,
14 years of our life, and why is this?

15 BYRON: Well --

16 STEVE SCHNEIDER: Well, see -- And the point
17 being, here's a person in behalf of the ATF giving
18 statements that are totally untrue. He says that they
19 did not fire from the helicopter. All it would take is
20 a ballistics test, or all you have to do is see the
21 diagonal of, of the bullets and how they entered into
22 the building --

23 BYRON: Exactly.

24 STEVE SCHNEIDER: -- from, from the heights
25 above.

BYRON: Steve --

1 STEVE SCHNEIDER: The water tanks that were
2 shot from a diagonal, from also the chopper and so
3 forth. There were three choppers obviously involved.
4 We've never even heard that on the news or given from a
5 press conference. See, these are the kind of
6 statements, and when he says that a man, one man, came
7 to the door and knocked at the door, that is not at all
8 true. So here's someone that came, David believes,
9 with the intent of murder by just what the helicopters
10 did, by what happened at the front door, he's able to
11 speak.

12 BYRON: Um-hum.

13 STEVE SCHNEIDER: He's able to disseminate
14 whatever kind of information he chooses. He's got an
15 open line to the press, to the world. We don't.

16 BYRON: Okay.

17 STEVE SCHNEIDER: So here's somebody that
18 actually came and, and Perry Jones was killed. He was
19 shot.

20 BYRON: Steve. Steve, let me address --

21 STEVE SCHNEIDER: You know, it's --

22 BYRON: Let me address that issue with you.

23 STEVE SCHNEIDER: I just want to say, you
24 know, this is -- these are the things that they're
25 extremely -- And this man is there talking day after
day, in the morning, ambiguous to detailed questions

1 from the press.

2 BYRON: Steve.

3 STEVE SCHNEIDER: The press themselves --

4 BYRON: Steve.

5 STEVE SCHNEIDER: Yeah?

6 BYRON: Hey.

7 STEVE SCHNEIDER: Yeah?

8 BYRON: Take a breath, let me just interject
9 a couple of thoughts.

10 STEVE SCHNEIDER: All right, go ahead.

11 BYRON: I understand exactly what you're
12 saying. That's why --

13 STEVE SCHNEIDER: Okay.

14 BYRON: -- I've been running around trying to
15 get these things resolved.

16 STEVE SCHNEIDER: Great, great.

17 BYRON: You have a valid point. Okay? We've
18 never debated that with you. In fact --

19 STEVE SCHNEIDER: Right, you haven't.

20 BYRON: -- working through these issues and
21 finding the common ground is why we're here.

22 STEVE SCHNEIDER: Okay.

23 BYRON: And I think that we've made
24 significant strides in, in being able to relay some
25 things to you that, frankly, we could, we could run
things forward, we could, you know, do drops and so

1 | forth, but there are some specific things that I want
2 | to point out to you in some of these documents. And,
3 | by the way, I was able to get a copy of -- Actually,
4 | it's an original fax directly from the U.S. Attorney of
5 | the search warrant and the arrest warrant so that you
6 | can look at those.

7 | But there are certain aspects of those things
8 | that I want to go over with you, so that it's perfectly
9 | clear in your mind, you don't misunderstand any
10 | statements, you pick up on all the pertinent issues --

11 | STEVE SCHNEIDER: I understand.

12 | BYRON: -- and so forth.

13 | STEVE SCHNEIDER: At this point of time,
14 | because I want to be able to digest information, even
15 | some of the answers you have, I, in honesty, am not
16 | willing right today to come walking out there. But I,
17 | I would have you to drop that information off and
18 | dialogue with you over the phone if I have questions or
19 | if you have any --

20 | BYRON: Steve, wait, Steve --

21 | STEVE SCHNEIDER: -- personal points to make
22 | in regards to this.

23 | BYRON: -- I'm right around the corner, okay?
24 | The Bradley's sitting here idling. I'm, I'm five
25 | minutes from your location probably. I don't
understand why if, if you and I --

9 STEVE SCHNEIDER: Honestly, I, I trust you
10 enough, but I -- at this time, I don't see it necessary
11 or a necessity to, to stand out there, when you can
12 tell me over the telephone.

24 STEVE SCHNEIDER: I'm sorry, I didn't hear
25 the first big -- You said --

BYRON: -- resolve in trying to work this

1 | thing out for going on three weeks now.

2 | STEVE SCHNEIDER: The first statement you
3 | made, though, before you said between a hard place and
4 | a rock. You said something, that we've had it our way.
5 | Is that what you said?

6 | BYRON: Basically, yes. I mean, you've,
7 | you've called times, you've called locations and --
8 | Now, let's, let's you and I continue on the premises --

9 | STEVE SCHNEIDER: No. Let's, let's, let's
10 | you and I -- Byron, let's you and I say it this way.
11 | The ATF has -- they've had it their way from day one.
12 | Let's you and I say that.

13 | BYRON: Yeah. I'm not debating that with you
14 | at all.

15 | STEVE SCHNEIDER: They're the ones that
16 | started this thing, they're the ones that are still
17 | totally involved in this, they're the ones making
18 | untrue statements at which -- And they're allowed to do
19 | that, whether it's by your agency, with your agency, if
20 | the government's allowing it. One thing that's for
21 | sure, you, the FBI, have definitely cut us off from any
22 | kind of -- being able to express opinions, statements,
23 | statements of facts or anything else.

24 | So that, of course, terrifies people within
25 | here. Of course it would.

 BYRON: Steve, I have --

1 STEVE SCHNEIDER: The very ones that came to
2 do us harm have all the advantage and opportunity to
3 say anything they want to do. And the man even states
4 it like he's after blood. You'd have to be an imbecile
5 not to see what's coming through the man, what he, what
6 he's stating to the press about gaining even -- or
7 getting ahold of people who might have given
8 information from the news or that gave us information.
9 We told them in honesty from the beginning no one even
10 called us.

11 BYRON: Steve --

12 STEVE SCHNEIDER: But, anyway, I can see the
13 man, what he's got in mind, what he wants to do. He's
14 involved in this. It's going to be his way. He
15 shouldn't even be involved. There should be such an
16 investigation by the government that the press knows
17 about to bring these men to justice. And if there's
18 people on our part that are involved, well, that should
19 be also. But I would like to see -- They've already
20 got the -- have the ability to pick up these men and to
21 do something about it now.

22 Let us be able to see the ones that came to
23 attack also are having a definite investigation. I'm
24 not hearing anything in the press about the ATF being
25 investigated, nothing whatsoever.

 BYRON: Steve --

1 STEVE SCHNEIDER: That bothers me.

2 BYRON: Steve! Let me talk once in a while,
3 okay?

4 STEVE SCHNEIDER: Okay.

5 BYRON: You know, why don't you record it and
6 send it in?

7 STEVE SCHNEIDER: Byron, I just wanted to,
8 you know, get the point out as clear as I could.

9 BYRON: And I understand your point. I'm
10 not, I'm not disagreeing with --

11 STEVE SCHNEIDER: Okay.

12 BYRON: -- with anything you've said so far.

13 STEVE SCHNEIDER: Okay, go ahead.

14 BYRON: What I'm trying to tell you, those
15 are the very issues that I want to be able to talk to
16 you about, but, frankly, I don't like talking over a
17 phone.

18 STEVE SCHNEIDER: I don't mind, I really -- I
19 don't mind.

20 BYRON: Okay, you don't mind and it's --
21 frankly, for the long term, it's the best way to handle
22 it, is to continue to have you calling in and talking
23 to the guys that, that have direct access to a myriad
24 of information that we can try to get answers for you.
25 But what I'm telling you is -- Basically, what you're
telling me is you don't really give a flip about the

1 fact that I've been running around for a day-and-a-half
2 collecting this information.

3 STEVE SCHNEIDER: That's -- Byron, that's --

4 BYRON: Let me finish, please. I'm trying to
5 impart this information to you and I think there's
6 some, some information here that's very valuable for
7 you. There's information that I've had to, to --

8 (End of Tape 4x.)

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U.S. DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO & FIREARMS

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TAPE #5x

3/17/93
1:28 P.M. - 2:14 P.M.

1 (Tape 5x)

2 STEVE SCHNEIDER: Because I -- Don't say I
3 don't give a flip. You know that. Don't, don't make
4 statements like that. I mean, that's an insult.

5 BYRON: Okay. Well, we both -- That's what
6 I'm talking about. You and I need to be able to, to --

7 STEVE SCHNEIDER: It doesn't -- Why does it
8 necessitate that I look at your face, that you look at
9 mine? Be reasonable with me.

10 BYRON: Steve --

11 STEVE SCHNEIDER: You know, I, I wasn't born
12 yesterday.

13 BYRON: Neither was I.

14 STEVE SCHNEIDER: You and I don't -- fight
15 with one another. I've been trying to be as decent and
16 cordial with you, and I want to be. But, remember, of
17 course, I have some distrust and, and reserve about
18 these things. Of course I do.

19 BYRON: Steve --

20 STEVE SCHNEIDER: When you're standing on --
21 ground, okay?

22 BYRON: Wait, wait.

23 STEVE SCHNEIDER: When you said to me that
24 Wayne and I would walk out there, being unarmed, and
25 you would be unarmed, I mean, I came there and looking
behind the both of you and the way, of course, they

1 grabbed you by the back of the pants and pulled you
2 back by the Bradley there, the way the two men were,
3 they were so armed, as they were, pointing the guns.

4 BYRON: Right.

5 STEVE SCHNEIDER: Fidgety. The look on the
6 face, no smiles. These guys looked like if they would
7 have had their opportunity they would have liked to
8 have taken us out. That's the way it appeared to me.

9 BYRON: Those people are not there for that
10 purpose.

11 STEVE SCHNEIDER: Well, why did -- why
12 couldn't the man at least smile?

13 BYRON: Let me explain that to you.

14 STEVE SCHNEIDER: Okay.

15 BYRON: That man has got a job.

16 STEVE SCHNEIDER: Okay.

17 BYRON: And he is extremely proficient at
18 being able to carry out his mission, and that mission
19 is the safe -- Listen to me -- the safe resolution of
20 the situation if it has to go tactical. We don't want
21 that. That's why I'm here. Okay? But I'm -- The
22 reason he's not smiling at you, Steve, is because he's
23 there to provide one thing and one thing only, and
24 that's safety. And whether you understand it, it's
25 safety for you as well as it was for --

STEVE SCHNEIDER: Well, you know --

1 BYRON: -- for the sheriff and I.

2 STEVE SCHNEIDER: That I --

3 BYRON: Let me finish. Just a moment.

4 STEVE SCHNEIDER: Okay.

5 BYRON: The reason that he's sitting there
6 stoic and so forth -- And I turned around to look,
7 because, you know, besides him pulling me back by the
8 nap of my neck when I tried to walk out to talk to you
9 guys, he's got a specific mission, and that is to
10 ensure the safety of all people there. We don't want
11 this thing to escalate. That's his reason for being
12 there. He's not there in an offensive manner, he's
13 there in a defensive manner, and it applies to you as
14 much as it did to us.

15 Now, if he didn't smile at you and so forth,
16 that's because we're in a situation that we need to get
17 resolved now. We need to get it resolved just as soon
18 as possible so that nobody's nerves, nobody's tension,
19 nobody's frustration gets in the way. Now, I'm telling
20 you that we're prepared to do it. We're prepared to
21 resolve this matter right now, safely, orderly. Get
22 everybody out, give you an opportunity to talk to the
23 media, give you legal representation, give you medical
24 attention that you've talked about before. But we can
25 only do that if we can get this thing resolved.

 STEVE SCHNEIDER: Byron, I would really like

1 | you to hear what Wayne had to say to John earlier as to
2 | some of my statements that were on behalf of --

3 | BYRON: Bring Wayne with you out.

4 | STEVE SCHNEIDER: -- David and people with
5 | their concerns.

6 | BYRON: Bring Wayne with you when you come
7 | out and you can --

8 | STEVE SCHNEIDER: We're not, we're not going

9 | -- BYRON: -- tell me again.

10 | STEVE SCHNEIDER: Byron, I'm going to tell
11 | you, okay, so I'm not going to lead you on or anything.
12 | It's not going to happen that way today. I'm not
13 | saying tomorrow or whatever. Today it's not going to
14 | happen.

15 | BYRON: Why is that?

16 | STEVE SCHNEIDER: I don't choose to do it. I
17 | want to hear --

18 | BYRON: Okay, now, I get back to my
19 | original -- Do you understand, Steve? You don't choose
20 | to do it.

21 | STEVE SCHNEIDER: You're not allowing me to
22 | talk. Do you want -- Byron, you're okay, but allow me
23 | to say something here, because it's going to be that
24 | way. I'm not willing today to go walking out there.
25 | You say you have information prepared, you've got tapes
and so forth. David requested a dialogue with a man by

1 the name of Dr. Arnold. Where's the Newsweek, the
2 Time? Drop that off and let's take a look at some
3 things you do have, and then let's pick up from there.

4 But right now I'm not willing at this point
5 of time, until I see some of those things and I take a
6 little time to digest it and then give a response to
7 you. And then let's -- When I've got something more
8 substantive, then I'll get back with you and we'll see
9 what we can work out.

10 BYRON: What happened to the -- Steve, what
11 happened to this list that, that Wayne was preparing,
12 that we were going to be able to --

13 STEVE SCHNEIDER: He just made a statement.
14 Remember how I said yesterday that I was waiting for
15 it, also? Well, he just -- And which he has not done.
16 He gave his reasons to John. He says let me speak with
17 John. He just gave clearly the reason. He did not
18 tell me before, but he made it clear and I heard what
19 he said and it made sense to me, also, the statement he
20 gave to John and, and the reason for that at this point
21 of time.

22 He said to the effect that he did not want to
23 be doing all this work for them. He is an attorney.
24 How would it benefit him? He sees us as not only being
25 under house arrest, but he explained that this is a
federal penitentiary basically that we're confined to

1 right now. That was his statement. That he himself
2 needs counsel to proceed even from here, even before
3 walking out of the building, in, in certain areas of
4 the law that he is not -- which is not his expertise.

5 BYRON: Okay. And I can understand that.

6 STEVE SCHNEIDER: Right.

7 BYRON: I, I think it's fairly obvious that
8 you need a little, you need a little more legal
9 counsel, which you've been asking for.

10 STEVE SCHNEIDER: Exactly.

11 BYRON: All right. And I don't have a
12 problem with that.

13 STEVE SCHNEIDER: Right.

14 BYRON: We, we stand ready. You know, in
15 fact, one of the items that I want to give to you is a
16 confirmation of an attorney's notification of us that,
17 that he's been retained. Now, you and I have talked
18 about this before, but we'll send in a copy of the
19 actual letter to show you that --

20 STEVE SCHNEIDER: Okay, that's great. Now,
21 that's more help.

22 BYRON: -- that that's truthful.

23 STEVE SCHNEIDER: Okay.

24 BYRON: Okay? Now, let me -- It's -- I'll
25 tell you, it's, it's disappointing to me, and I'm going
to have to try to explain it away to, you know, to my

1 chief that -- as to why -- And I hope this isn't a
2 demonstration that you don't trust me.

3 STEVE SCHNEIDER: No, it's not.

4 BYRON: Okay. You know, I --

5 STEVE SCHNEIDER: But, remember, you've got
6 to remember --

7 BYRON: -- an explanation as to why --

8 STEVE SCHNEIDER: Well, Byron, let me give
9 you an explanation. Because you guys -- Like you have
10 said yourself and as John Dolan and John Cox and
11 everybody else, that you, you have stated over and over
12 again you're not in control, that you have superiors
13 over yourselves that make the decisions as of what took
14 place because of last Friday, Friday evening and
15 Saturday and so forth, which really turned this thing
16 totally completely around for a while.

17 BYRON: That's true.

18 STEVE SCHNEIDER: And we're trying to recover
19 the pieces.

20 BYRON: That's true, and that's why I'm here.

21 STEVE SCHNEIDER: But this is what I'm
22 saying.

23 BYRON: I'm trying to recover those pieces.

24 STEVE SCHNEIDER: But, see, it's not you as a
25 person. That's why don't, don't be offended because,
you know, I'm still in a precarious position myself, as

1 | these people are. And it deals with issues of the
2 | Constitution, it deals with issues of freedom, of what
3 | actually took place, of the involvement of the
4 | perpetrators and what's going to happen to them, as
5 | well as ourselves, and the issues -- the religious
6 | aspects, which are the main ones to us.

7 | BYRON: Steve, I've got answers to the
8 | majority of those things for you.

9 | STEVE SCHNEIDER: Okay.

10 | BYRON: Okay? That's why -- Believe me, I
11 | could have stepped back to, you know, stayed under the
12 | speed limit trying to get some of these things rounded
13 | up, but I wanted to be responsive.

14 | STEVE SCHNEIDER: I appreciate that, I really
15 | do.

16 | BYRON: Okay. We've, we've -- I think you
17 | will find when we do meet that, that I've got some of
18 | these answers for you that, that are not just going to
19 | be imparted to you by, by merely reading documents.
20 | There are things that you and I need to be able to sit
21 | down and discuss. And, quite frankly, and please think
22 | about the statement I'm going to make to you, I've
23 | talked to you, Steve, since the 28th of February when
24 | this tragedy occurred.

25 | STEVE SCHNEIDER: Right.

 BYRON: I've been there since, since within

1 hours of the first shot being fired. The sole purpose,
2 the only reason that I've responded up here is to try
3 to work through this thing so that we can resolve the
4 matter without anyone else being injured. Okay?

5 STEVE SCHNEIDER: By the way, just for --

6 BYRON: Having the opportunity to talk to you
7 face to face fills in a lot of questions that I had as
8 to who this person is and is he, is he straightforward,
9 is he honest. I put a great deal of, of respect in
10 whether or not a person can look me right straight in
11 the eye. You and I had that kind of connect down
12 there. That's what I want to continue. There's
13 nothing sinister about this, there's nothing that I'm
14 trying to pull on you.

15 There's -- You know, I just want to have the
16 opportunity to show you a little bit of, of respect,
17 going out and being willing to step out from behind
18 that tank and meet you in the middle of the road and
19 talk to you man to man.

20 STEVE SCHNEIDER: Well, that may happen, but
21 not today.

22 BYRON: Okay. When -- Do you have any idea
23 when you're thinking about doing it?

24 STEVE SCHNEIDER: Well, let, let's see, let's
25 see the Newsweek, the Time, the Arnold tape and some of
your information that you've picked up and whatever --

1 Let's be able to look at that today --

2 BYRON: Let me make a statement to you.

3 STEVE SCHNEIDER: Pardon?

4 BYRON: Let me make a statement to you,

5 Steve --

6 STEVE SCHNEIDER: All right.

7 BYRON: -- 'cause I know I'm about -- I'm
8 fixing to hear it from my boss.

9 STEVE SCHNEIDER: Okay.

10 BYRON: Okay? The patience of the federal
11 government is not endless. Do you understand?

12 STEVE SCHNEIDER: The patience of the federal
13 government --

14 BYRON: Is not endless.

15 STEVE SCHNEIDER: -- is not endless?

16 BYRON: Now, we've been here for, you know,
17 17 days.. If it's up to me, I'm not, I'm not putting
18 any ultimatums on you here, but what I'm trying to tell
19 you mainly --

20 STEVE SCHNEIDER: Listen, Byron, let me --
21 David just overheard me and he said the patience of God
22 is also not endless.

23 BYRON: That's good.

24 STEVE SCHNEIDER: That's what David says.

25 BYRON: Tell him I understand that and
respect it.

1 STEVE SCHNEIDER: He says I understand that
2 and respect that.

3 BYRON: But what I'm trying to tell you,
4 okay, is that --

5 STEVE SCHNEIDER: He said not, not yet you
6 do.

7 BYRON: No, I think I do, but I'm not, I'm
8 not trying to be argumentative here, okay? What I am
9 trying to tell you, though, is, is if David is there --
10 Can I talk to David?

11 STEVE SCHNEIDER: Just a moment. [gap] Yes,
12 yeah, just a minute.

13 BYRON: Great. Thank you.

14 [gap]

15 DAVID KORESH: Mr. Byron.

16 BYRON: David, how are you, sir?

17 DAVID KORESH: I'm doing real well. How you
18 doing?

19 BYRON: Good. Unfortunately, probably a
20 little better than you. How are you wounds feeling?

21 DAVID KORESH: Oh, I'm doing just fine.

22 BYRON: Okay. All right. I've, I've been
23 talking to Steve. I don't know if -- Did he have me on
24 a speaker phone or were you able to hear most of what I
25 told him?

 DAVID KORESH: Well, I just came downstairs

1 | when I, when I -- the conversation.

2 | BYRON: Okay. Glad you're getting around a
3 | little better. What I wanted to impart to him, and
4 | I've been -- I don't know if you had an opportunity to
5 | observe our meeting the other day.

6 | DAVID KORESH: No, I wasn't up then.

7 | BYRON: Okay. But we had an opportunity, and
8 | I consider it to, to have been just that, a very
9 | positive opportunity to meet with Steve and with Wayne.
10 | And, and you've got some good guys working for you
11 | there.

12 | DAVID KORESH: Well, they don't work for me,
13 | they work for who I work for.

14 | BYRON: That's right. Okay, I, I -- And I
15 | can understand that. But what I'm saying is, is I
16 | think they're serving everybody's best interests,
17 | they're trying to do a good job. And so am I.
18 | Including for who you -- who we all work for. What I
19 | was trying to impart to Steve was the fact that based
20 | upon some of the questions that they broached, the
21 | specific questions regarding, you know, the potential
22 | of forfeiture or seizure of your property and the legal
23 | counsel issues and the importance of a crime scene
24 | search to preserve what Wayne referred to as the legal
25 | evidence that you all specifically have some concerns
about, sealed documents, the involvement of -- is this

1 purely a federal investigation or are we also talking
2 about state agencies such as the Texas Rangers, which
3 are -- which is an exceptional organization.

4 In fact, I'm out here with the sheriff right
5 now. We're right around the corner from you all and we
6 came out here to, to bring some of the results of the,
7 the inquiries. I've been running around like, like mad
8 here for the last day-and-a-half now, trying to gather
9 some of the information that you all wanted, so that we
10 could sit down face to face, man to man, looking one
11 another in the eye, so that he knows that I'm coming
12 from the heart here. This is the truth.

13 I think you have that respect for the
14 sheriff. The reason that I, I feel that it's, it's
15 urgent that we do something like this is because I want
16 you to be able to have the feeling that I'm not running
17 any kind of a game on you. I'm telling you exactly the
18 truth as I --

19 DAVID KORESH: Mr. Byron, Mr. -- The problem
20 that we're dealing with right now, and you're aware of
21 it, is that myself being a fisherman from a long ways
22 back, you know, in the game of fishery we try to, we
23 try to use the best lures possible to convince the fish
24 of the safe kill. Right?

25 BYRON: Yes.

DAVID KORESH: But, of course, what happens

1 | is the fish are ignorant of hooks and gavels that are
2 | on the lures. And so what we're saying is we're
3 | saying, you know, from your point, from the counselor's
4 | point, you know, very positive definite moves forward
5 | in our negotiation. But what we see behind you, what
6 | you keep referring to as your commanders, is a very
7 | offensive threat which is not a threat to me or the
8 | people here.

9 | As I said before, you know, you feel that
10 | you're very well armed, you feel that you're very well
11 | in a defensive position or an offensive position. But
12 | what you fail to understand is the important thing that
13 | we're looking at. By trying to push to the side what
14 | we're looking at, you fail to understand where we're
15 | coming from. And as long as you remain to do that,
16 | our, our communication together is just going to be a
17 | stand still.

18 | BYRON: Yeah.

19 | DAVID KORESH: You're failing to understand
20 | our convictions, what our responsibilities are, you
21 | see. Whereas, we are agree with you. We understand
22 | what your responsibilities and obligations are to the
23 | power that you're under, under submission to.

24 | BYRON: Okay.

25 | DAVID KORESH: Okay. So we've asked you all
along that our position be allowed to settle itself by,

1 | you know, letting, letting us talk with somebody --
2 | letting the people here hear somebody who claims to
3 | have a knowledge of these seals. Remember, the seals
4 | are the political thing. It's not a religious thing,
5 | it's a political thing. God is a very political thing.

6 | BYRON: Okay.

7 | DAVID KORESH: You know, the nations of the
8 | Babylon, Medo-Persia, Greece, and Rome, before America
9 | became a great empire, there were other empires just
10 | like this nation, invincible, immovable. But the God
11 | who creates what shall be from the foundation of the
12 | world, to the end thereof, has stated that likewise as
13 | each nation comes up consecutively, each nation shall
14 | fall the way God preordains.

15 | BYRON: Okay.

16 | DAVID KORESH: Now, you're coming to me,
17 | telling me to negotiate, and I'm willing to do so.
18 | Give and take position, I'm willing to do so. I made
19 | the first move to send the children out. You all are
20 | the ones that stopped that, not me. You all are the
21 | ones that showed, by your crafty ways, that you were
22 | not in sincerity to your position and so I stopped
23 | that, because my God told me to stop that. And since
24 | then, we've seen a continual digression on your part.

25 | You're not living up to what you promised us.
You've done things to try, to try to aggravate us. Not

1 | that we're aggravated. We hold no prejudice against
2 | you or anybody on the outside. You're just doing what
3 | you're told to by your commanders. So, you know, it's
4 | kind of a hard position that we're in because you do
5 | not understand where we're coming from. You
6 | understand?

7 | BYRON: Yes, I do understand.

8 | DAVID KORESH: You know, and by trying to, by
9 | trying to, to shut us up in our position, you know,
10 | you're continuing to keep yourself in ignorance of what
11 | our position really is, and we just can't communicate.
12 | It's like, it's like me being an Eskimo and you being
13 | from Hawaii, we just don't understand each other's
14 | territory.

15 | BYRON: David, I understand, I understand
16 | what you're saying. I've been here, like I say, I
17 | think exercising a great deal of patience since, since
18 | the first day. I've --

19 | DAVID KORESH: Patience meaning forbearance
20 | towards us?

21 | BYRON: No, no. I'm talking about a commonly
22 | focused objective that I felt that you had and that we
23 | had to try to get this thing resolved without any
24 | unfortunate injuries or loss -- further loss of life.

25 | DAVID KORESH: Well, we, we don't want you
all guys to get hurt at all. We're for sure of that.

1 We've all discussed that. God doesn't want that. We
2 know you're -- in regards to your position.

3 BYRON: We don't want that, either. Okay?
4 David, we don't want that either, and that's an
5 understanding that we can build on. But what I was
6 trying to tell Steve and what I'm trying to tell you,
7 and I don't mean this -- Well, maybe I do mean this in
8 a, an offensive fashion. But what I've got to impart
9 to you, because you need to realize that I have got
10 people that I have to answer to and I know that you and
11 I both have God that we have to answer to.

12 DAVID KORESH: Exactly.

13 BYRON: But this issue has got to be
14 resolved. You have certain points that you want to be
15 able to make. We have worked our, our rears off trying
16 to facilitate that for you. We've made arrangements
17 for legal counsel. I've got copies, documents of --
18 that confirm legal representation. Access to the media
19 has been arranged. Just right on down the line. I've
20 got statement that I've gotten the U.S. Attorney's
21 Office to commit to on paper that I want to, to be able
22 to show you, ensuring you about the, the safety of your
23 home and so forth, so that people when they come out,
24 we get this thing resolved, they've got a place to go
25 back to.

 DAVID KORESH: Are we talking about the

1 safety and respect of the property that's already been
2 destroyed thus far? Is that what we're talking about?

3 BYRON: That's, that's another issue that you
4 could bring up in court, but that's the proper forum.

5 DAVID KORESH: Oh, it's the proper forum for
6 you to state. We understand it's for you to state any
7 and all things that you feel will be applicable (sic) to
8 get your point across. But the thing is this.

9 BYRON: David, this isn't just my point. I'm
10 trying to meet you halfway --

11 DAVID KORESH: You've already shown us --

12 BYRON: -- and you're not coming forward with
13 it.

14 DAVID KORESH: -- that you have no power over
15 the commanders.

16 BYRON: I'm sorry?

17 DAVID KORESH: You've already showed us that
18 you have no power over the commanders. You stated one
19 thing to us in confidence. We were complying with it,
20 we had a good relationship going. And, all of a
21 sudden, your commanders started making moves behind the
22 back. It's kind of like the old story where, you know,
23 you smile at your friend to his face while your other
24 friend gets behind him and you push him over the back.
25 I mean, it's -- that's exactly what happened. You
can't deny that, Mr. Byron.

1 BYRON: David, let's back up a second here
2 and put this thing in the proper perspective. Now, I
3 mentioned to you that I was here from the first day.
4 Okay?

5 DAVID KORESH: Right.

6 BYRON: I was not here when the people drove
7 up to the front of your, of your church, and I'm not
8 sitting here trying to defend how that happened or
9 anything else.

10 DAVID KORESH: No, no, we're not talking at
11 that point. We're talking at the point where --

12 BYRON: Okay, that's, that's what I'm getting
13 at. Okay, you're not talking to ATF now, you're
14 talking to the FBI --

15 DAVID KORESH: Right.

16 BYRON: -- and we're trying to get this
17 accomplished in your best interest and in ours. But we
18 can only do that if we work together. Now, you've
19 talked about promises that have not been kept and
20 things that have been changed in midstream. Partner,
21 I'm the one that you -- not that you talked to, but you
22 relayed messages through Steve and through Wayne to try
23 to get your message off. First, the brief message that
24 was read for you by ATF to the media, I'm the one that
25 facilitated getting it on the radio through KRLD in
Dallas.

1 DAVID KORESH: Right.

2 BYRON: The next thing that you wanted to do
3 is to try to get your message out nationally. Do you
4 recall this? I'm the one that contacted the Christian
5 Broadcast Network and convinced them to put your
6 message on the air, unedited, unreviewed. I mean,
7 these people were laying their, their jobs on the line.
8 I'm the one that did that for you. The FBI did that
9 for you. Your response, in your own words, David, in
10 your own words, not my words, not ATF's, not the FBI,
11 not anybody that's ever wronged you, your own words was
12 that as soon as this message is broadcast I will
13 immediately -- and you stressed immediately --

14 DAVID KORESH: Come out --

15 BYRON: You did a good job.

16 DAVID KORESH: -- immediately.

17 BYRON: -- come out immediately.

18 DAVID KORESH: Right.

19 BYRON: What happened? You went back on your
20 word.

21 DAVID KORESH: My, my, my commander, my
22 commander in chief told me to wait.

23 BYRON: Well, that's a pretty easy excuse to
24 hide behind.

25 DAVID KORESH: And that's what you all hid
behind, too, isn't it?

1 BYRON: It is not. We have --

2 DAVID KORESH: You've hidden, also.

3 BYRON: -- everything we've promised you,
4 David.

5 DAVID KORESH: Mr. Byron, I disagree with
6 you. Evidence shows in every respect, the media, what
7 you've done, turning our lights off, all this shows
8 that you are making the same point that I am.

9 BYRON: No, that's not correct at all.
10 That's your interpretation, which is very convenient
11 for you.

12 DAVID KORESH: And also for you, too. Hey,
13 the other night your tanks came right up towards the
14 house. Is this not a violation of what you promised
15 us? Yes or no.

16 BYRON: No. What we promised you --

17 DAVID KORESH: It's not a violation?

18 BYRON: Let me finish. You asked the
19 question, let me give you the response. You asked that
20 we not encroach on your property as long as you were
21 going along with arrangements that we were making in a
22 very healthy and human fashion on the 28th and the 1st
23 and the 2nd. That did not happen. And you think about
24 this for a second. Those tanks did not encroach. And
25 they're not tanks, by the way, they're armored
personnel carriers. In fact, one's an ambulance, and I

1 | pray we never have to use it.

2 | DAVID KORESH: Well, that's what the radio --
3 | That's what the guys, that's what the guys in the --

4 | BYRON: Well, I'm, I'm setting you straight.
5 | They are not tanks, they're armored personnel carriers.
6 | The next thing I want you to -- Please think about
7 | this. Step back, get away from the emotional aspect of
8 | it --

9 | DAVID KORESH: I'm not emotional.

10 | BYRON: -- and I will try to do the same.
11 | But, listen, they did not step one foot on your
12 | property until you went back on your word.

13 | DAVID KORESH: That is a lie.

14 | BYRON: That is not a lie.

15 | DAVID KORESH: That is a lie.

16 | BYRON: That is absolute fact.

17 | DAVID KORESH: And you will find out in the
18 | judgment that you are fixing to witness that it was a
19 | lie. You will find out very clearly. Every detail,
20 | every thought, every statement made, every, every
21 | manipulation done behind the scenes will be made
22 | apparent to you. You do not understand what you're
23 | dealing with. You do not understand what position of
24 | time you're in.

25 | BYRON: David --

 DAVID KORESH: This nation does not

1 | understand. I know you don't want to hear this.

2 | BYRON: No, I want to hear it because I, I
3 | answer to the same God you do, pal.

4 | DAVID KORESH: No, you do not.

5 | BYRON: You don't have a corner on the
6 | market.

7 | DAVID KORESH: You do not know the seals,
8 | Mr. Byron. You do not understand the seals. There are
9 | scholars that would help you out. There are scholars
10 | who would understand the indepthness of what I stated
11 | over the radio.

12 | BYRON: David, can I ask you a question?

13 | DAVID KORESH: Yes.

14 | BYRON: Okay. I've read the same book.

15 | Okay? I was -- I, I found my saviour in a, in a
16 | situation in Vietnam where I realized that I wasn't in
17 | control of my life.

18 | DAVID KORESH: Right.

19 | BYRON: Okay? I read the same book that you
20 | are, are founding your faith on. I respect that book.
21 | I respect your faith. But I read in the scripture, and
22 | I'm not a -- I'm not claiming to be a Bible theologian
23 | and I'm not claiming to be anywhere near as well versed
24 | in word and quotation as you are, and I respect that
25 | capability. But I find in that book that the book says
the only person, the only person, the only entity that

1 | can open those Seven Seals is the Lamb of God.

2 | DAVID KORESH: Exactly.

3 | BYRON: I don't claim for a moment to have
4 | that capability and you know as well as I do that your
5 | challenge to us from day one, to just quote, just get
6 | somebody in here that can open these Seven Seals and
7 | all my people will come out.

8 | DAVID KORESH: Exactly.

9 | BYRON: That's garbage.

10 | DAVID KORESH: Exactly.

11 | BYRON: It's garbage. It's a false hope and
12 | you know that.

13 | DAVID KORESH: No, it's not. On the
14 | contrary. These people remain here because I have
15 | thoroughly opened to them the Seven Seals. See, if you
16 | had understood --

17 | BYRON: And if you have the message that's
18 | extremely valuable that you need to share with the rest
19 | of this world, the only way you can do that, David, is
20 | if you -- if we can get this matter resolved. When,
21 | when you come out, you will be provided with that
22 | opportunity, and I'll be in the front of the line to
23 | listen to it.

24 | DAVID KORESH: That's where you remain
25 | ignorant. It's not your fault. I do not hold you
contemptible for that, but you remain ignorant to

1 understand what is actually being applied at this very
2 time. See, when it says in 22 I come onward as me,
3 it's very clearly identified that when Christ comes the
4 identifying mark will be the knowledge of those Seven
5 Seals.

6 BYRON: And so you are now claiming clearly
7 and simply that you are the Christ?

8 DAVID KORESH: I am saying that no man can
9 know me nor my father unless they open their book and
10 give a fair chance in honesty and equity to see the
11 seals.

12 BYRON: Okay.

13 DAVID KORESH: Chapter 10 shows that when
14 there's time no longer this mystery of God, the seven
15 thunders, which is the Seven Seals, will be finished as
16 God has declared to his servants the prophets. The
17 keynote is that from Deuteronomy 32, the Song of
18 Moses --

19 BYRON: David, David, in all due respect, and
20 I, I would, I would love to and I'm telling you that I
21 genuinely would -- And I'm committed to doing this, to,
22 to research what you're telling us and so forth, but we
23 need to get the matter, the stand-off, as we have it
24 right now, resolved.

25 DAVID KORESH: Well, that's what we're -- to
do.

1 BYRON: -- forward.

2 DAVID KORESH: But we're going to, we're
3 going to also have to comply to the fact that if I am
4 right you people are in more trouble than I am.

5 BYRON: I, I couldn't agree with you more.

6 DAVID KORESH: This nation is at the verge --

7 BYRON: David, did you hear what I just told
8 you? I couldn't agree with you more. I know what
9 you're, what you're talking about.

10 DAVID KORESH: And that's from your religious
11 conviction. But now where we stand at this present
12 time is that you come in the name of this nation, I
13 come to you in the name of a God, a God who has
14 declared in heaven that no man on earth, neither on
15 earth, anywhere, in heaven, can open the book and look
16 thereon. Now, it would be a definite miracle after
17 2,000 years of all the scholars in the so-called world
18 not to know the truth, especially if they're plainly
19 recorded in the prophecies.

20 So what I've asked of you is a very simple
21 thing. I've asked you simply --

22 BYRON: What you've asked of me and what
23 you've asked of the, of the Biblical scholars --

24 DAVID KORESH: Of the nation who says in God
25 we trust on the currency --

 BYRON: That's right.

1 DAVID KORESH: -- sanctuary right now -- See,
2 things are taking place around you don't know. I would
3 like to show you these things, I would like to impart
4 this knowledge to you.

5 BYRON: Please come out and show us. That's
6 all we're asking here.

7 DAVID KORESH: I am more than willing to come
8 out when I get my message from my commander.

9 BYRON: Let me -- Can I, can I mention a
10 couple things to you that I really think you need to
11 realize? Your message -- You had the, the absolute
12 zenith opportunity to get your message out and it was
13 broadcast, and we facilitated it. We're not the, the
14 anti-Christ here, we're not the, the evil doers.

15 DAVID KORESH: That, that remains to be seen.

16 BYRON: Well, let me finish. We are the ones
17 that facilitated you getting that message out. It went
18 out across this nation. It went out internationally.
19 But what you, you apparently don't understand is that
20 with the passage of time, and one of the documents that
21 I wanted to provide to you is a letter from the
22 Christian Broadcasting Network, from Craig Smith who is
23 the, the talk show host that facilitated getting the
24 message out and, by the way, lost his job as a result
25 of it because he was willing to stick his neck out to
try to help you, to help the people in that compound to

1 | safely resolve this and not put out an issue of -- a, a
2 | statement of death but a statement of life.

3 | The posture you're assuming now is not
4 | promoting the safe welfare of the people inside that,
5 | that -- the church, and you know it.

6 | DAVID KORESH: So what you're implying --

7 | BYRON: Let me, let me finish here. Just a
8 | second.

9 | DAVID KORESH: Go ahead.

10 | BYRON: When he put that message out, he
11 | stuck himself out front because he also has a saving
12 | faith in the word Jesus Christ that you claim to serve.

13 | DAVID KORESH: I didn't say I claim to serve
14 | Jesus Christ. I did not say that, did I?

15 | BYRON: Okay, are you telling me you don't
16 | then?

17 | DAVID KORESH: What I'm saying is --

18 | BYRON: Let's -- I don't think you need to
19 | clarify that position because this is not a religious
20 | debate.

21 | DAVID KORESH: No, it's not. It's a point of
22 | a political matter. The matter is is that as the
23 | ambassage (sic) is at the present, I teach the Seven
24 | Seals, not that I, but I show from the prophetic
25 | writings of the scripture, your scripture, the very
clear decoded message of God for the last generation

1 that compiles the 144,000 that stands on Mount Zion.
2 That is a literal number. The gospel's going back to
3 the Jews. All the prophets foretold that the time of
4 the gentiles would come to an end because you will be
5 doing worse than what they've done 2,000 years ago.

6 See, you fail, Mr. Byron, to understand the
7 purpose of the cross 2,000 years ago. It was stated,
8 Father, forgive them for they know not what they do.
9 Now, in those days they didn't have manuscripts
10 everywhere, only the Pharisees and Sanhedrim had copies
11 of the Torah (indiscernible). Now, also, it states
12 into thy hand I command my spirit. So very clearly,
13 through all the new testament writing, Christ sits at
14 the right hand of God. In the Book of Revelation, in
15 the right hand of God is a book. Have you ever heard
16 of the word of God being made flesh?

17 Sure, it's easy to accept what's been in the
18 past, but when the word is made flesh again it'll come
19 according to the Seven Seals, of which you are standing
20 right --

21 BYRON: David --

22 DAVID KORESH: -- at the door looking at in
23 the face and you know it not.

24 BYRON: David.

25 DAVID KORESH: Sir?

BYRON: With all due respect, my own personal

1 | commitment, my own personal faith, my own personal
2 | salvation, you are not in a position to attack. And
3 | I'm not here to debate it with you.

4 | DAVID KORESH: You do not know my position to
5 | attack.

6 | BYRON: Okay, I'm just giving you my opinion.
7 | You can take it or leave it. Obviously, you'll leave
8 | it. But let me just, please, make this, this point.
9 | You need to realize that we are not here, I'm not here,
10 | I'm not -- The sheriff's not still sitting out in that
11 | Bradley idling on the road so that we can force a
12 | confrontation. We are here trying to resolve this
13 | matter without anyone else getting hurts.

14 | DAVID KORESH: And that's what I'm trying to
15 | do likewise.

16 | BYRON: Well --

17 | DAVID KORESH: I do not want my people --

18 | BYRON: With all due respect, I think that
19 | it's a very safe position to hide back and say I'm not
20 | coming out until my God says that it's time to come
21 | out.

22 | DAVID KORESH: No, no, no. It's a very safe
23 | position for you. You're behind the Bradleys. We're
24 | here behind walls of sheetrock. We're here behind
25 | walls of sheetrock. We remained here from the
beginning. We did not build walls of stone or steel.

1 BYRON: We are here to facilitate you getting
2 out behind these walls --

3 DAVID KORESH: But you're behind --

4 BYRON: Let me finish, please. As well as
5 your message, if you want your message to get out, that
6 message is not going to get out until you come out to
7 profess it and we will facilitate it. Now, you can,
8 you can condemn us -- Please listen to this. You can
9 condemn us for, for interfering with your free and
10 unfettered access to the media, but what I'm telling
11 you is we stand ready, my commanders stand ready and
12 have assured me to assure you that as soon as you come
13 up -- out -- we will facilitate free, complete,
14 unedited, uncensored access to the media.

15 I just got off the phone before I came out
16 here. David, are you listening to this?

17 DAVID KORESH: I'm listening.

18 BYRON: I just came -- got off the phone with
19 the Christian Broadcasting Network. Now, I don't know
20 if you listen to them or not, but they have assured me
21 that they stand ready, and it's in this letter that I
22 was prepared to provide to you, that they stand ready
23 to continue to help you to facilitate to put your
24 message out. But only when you come out. Only when
25 you live up to your initial word that you broke.

 We did not break it, you broke it. Let that

1 | be perfectly clear. And we'll build from that point
2 | forward, but we're not going to build castles on sand,
3 | and you know what I'm talking about.

4 | DAVID KORESH: Well, we know that --

5 | BYRON: We're going to build them on rock.
6 | You need to bring that rock out and build your message.
7 | Let us help you.

8 | DAVID KORESH: Well, we know the rock's in
9 | heaven. We know that, right, Mr. Byron? Sits on a
10 | throne, right?

11 | BYRON: That's right.

12 | DAVID KORESH: And we also know it can hit
13 | the image in the feet, right? (indiscernible) 244?

14 | BYRON: I'm not going to get into a religious
15 | debate with you. I believe what you're saying.

16 | DAVID KORESH: No, that's not -- that's a
17 | statement of Christian fact. Everyone who loves
18 | Christ knows.

19 | BYRON: David, I know what you're saying and
20 | I agree with it, but it's time for you to bring your
21 | feet out and to place them on the, on the -- in a
22 | position, and a proper forum, to get your word out, if
23 | that's what you really want to do.

24 | DAVID KORESH: That's what's going to be
25 | done.

 BYRON: If that's what you really want to do.

1 DAVID KORESH: That is what is going to be
2 done, I swear by God unto you.

3 BYRON: How's it going to be done until you
4 come out?

5 DAVID KORESH: Well, that's what I'm saying.
6 You still fail to understand the finishing part of what
7 our work is, you see? And unless you sit down, because
8 you care for our soul and you love the innocent within
9 these walls, which you profess to do, unless you sit
10 down and you hear a man, you can't judge him.

11 BYRON: David, we have heard you for 17 days.

12 DAVID KORESH: No, you have not. You have
13 interrupted, you've made statements, the people have
14 scoffed. No, you have not.

15 BYRON: We have never scoffed you or your
16 message. Not one time has the FBI ever gotten up there
17 and scoffed you or your message. That's not true. If
18 that's the message that you're putting out to your
19 people --

20 DAVID KORESH: Again, that'll be brought,
21 again, that'll be brought out.

22 BYRON: Let me finish. Let me finish. If
23 that's the message you're putting out to your people,
24 you are not representing the truth in the best interest
25 of the people inside that compound.

 DAVID KORESH: I have not been talking with

1 | these people at large.

2 | BYRON: Well, you need to, David. You
3 | profess to be the leader in that compound. It's time
4 | for you to take command and bring these -- the, the
5 | sheep forward.

6 | DAVID KORESH: Mr. Byron, understand again
7 | salvation is not done by -- It's an individual
8 | responsibility. The people here --

9 | BYRON: Then let those individuals free. Let
10 | them come out.

11 | DAVID KORESH: They are free.

12 | BYRON: I don't believe it.

13 | DAVID KORESH: I know you don't. You don't
14 | believe me. You don't even believe that God sits on a
15 | throne, you don't believe that he gave the book to the
16 | Lamb, you don't --

17 | BYRON: David -- these people to tell the
18 | truth --

19 | DAVID KORESH: You don't believe the lamb is
20 | going to come with the reward.

21 | BYRON: -- with their promises. That is not
22 | you to this point. You understand that?

23 | DAVID KORESH: I understand that you are
24 | trying to make statements for us to comply to your
25 | ideals, but here's the thing. You just told me you
fear God.

1 BYRON: I do.

2 DAVID KORESH: Which God do you fear?

3 BYRON: I fear -- I'm not going to get into
4 this debate with you, but I'm going to tell you that I
5 am personally convinced and secure in my salvation. I
6 don't have to represent that to you one iota. What I
7 do have to represent to you is that this is not an
8 unlimited situation. Time is, is passing.

9 DAVID KORESH: I know it is. It's very
10 close.

11 BYRON: You have not -- Let me finish,
12 please.

13 DAVID KORESH: It's very close.

14 BYRON: David, let me finish. You have not
15 lived up to your promises.

16 DAVID KORESH: And have you lived up to
17 yours?

18 BYRON: Yes, sir, we have.

19 DAVID KORESH: You believe that honestly?

20 BYRON: And here, here's the next promise I'm
21 going to give you. Are you ready?

22 DAVID KORESH: I'm listening.

23 BYRON: We have the facilities available
24 right now to safely and orderly recover the people out
25 of that compound. All you need to do is show your
leadership and direct them to come out. We will, we

1 | will treat them in an honest, open, humane fashion. We
2 | will get medical attention to them that you have not
3 | been able to do because you don't have the facilities
4 | there. We're trying to help you out, David, and you
5 | don't understand it.

6 | You either don't understand it or you don't
7 | care. There's no, there's no middle ground here. It
8 | is as black and white as the message is that you
9 | profess to teach. If you care for those people, take
10 | care of those people. Let us come forward with what we
11 | have prepared to help you out. We're not here to hurt
12 | you, we're here to try to help you. And if you, if you
13 | can't believe that --

14 | DAVID KORESH: I believe you. I believe what
15 | you are saying.

16 | BYRON: Okay. If you believe -- Okay --
17 | David, you believe me, you just said that.

18 | DAVID KORESH: No, I said I believe what --

19 | BYRON: Here's what I want, here's what I
20 | want to make clear to you. We have three buses that
21 | will be in this area by 3:00. That's one hour. Now,
22 | this, this is one of the things I wanted to bring
23 | forward to Steve. This is not any kind of trick or
24 | anything. We have medical attention that we have, have
25 | made contacts with and they will be prepared to help
 | with, with injuries, including Judy's right hand, the

1 | finger and possible shoulder, Scott's thigh, your
2 | abdomen. And hopefully, that's not -- Is it still
3 | weeping, your wound?

4 | DAVID KORESH: It still weeps.

5 | BYRON: Okay. We would like to, to be able
6 | to help you out with that. David Jones that got the,
7 | the shot in the buttocks, we want to be able to try to
8 | help these people as best we can. Medical attention
9 | will be available at 3:00. The buses are standing by
10 | to take these people to the proper authorities, have
11 | access to legal counsel, including yourself. But,
12 | David, please, let's get off the dime here. It is --
13 | You and I both know that if, if you make the decision
14 | that okay, we're coming out, we're going to go before
15 | the media, we're going to have our day in court, which
16 | according to the sheriff you wanted to do -- You did it
17 | in 1988 and you were successful. Do it in 1993. Do it
18 | now.

19 | We are ready to do this without anybody else
20 | getting hurt. Do you understand? I don't know how to
21 | make it any more clear, except maybe to take a couple
22 | breaths and relax. But what I'm trying to do is I'm
23 | trying to tell you what I tried to tell Steve. I'm
24 | excited because the things that I found out and that I
25 | wanted to come out there and deliver face to face are
 | in your best interest. You had concern about property,

1 the property is not going to be moved upon.

2 I have a statement from the U.S. Attorney's
3 Office that says based on Federal Firearms Act, there's
4 no provision to move on it for forfeiture. They
5 couldn't seize it even if, if -- If you were fearful of
6 ATF jumping up and down saying that that's their plan,
7 there's no legal grounds for them to do it. You're
8 safe and secure in your church. The legal issue, I
9 have proof that you have legal representation. And
10 those that aren't represented, we have -- there's a
11 roster I can provide to you as soon as you come out and
12 court appointed attorneys are standing by.

13 The crime scene, we've made -- Are you still
14 there?

15 DAVID KORESH: I'm here.

16 BYRON: The crime scene -- I hope you're
17 listening to this.

18 DAVID KORESH: I am listening.

19 BYRON: Okay. The crime scene, we've made
20 arrangements to work on getting a, an independent
21 special, special master, I believe is the legal term
22 for it, to oversee the processing of the crime scene.
23 Now, I hope you're listening to this because this is a
24 point that I know Steven has made, that, that Wayne has
25 made, and that you have made through them and directly
to the various guys that have talked to you during the

1 course of the negotiation.

2 We've now made a -- We've made that step.
3 That's very unusual. Normally, the agencies process
4 the crime scenes and that's it. And the, the evidence
5 is brought forth into court and it's judged by, by a
6 jury of your peers. Now what you're looking at is
7 we've made provisions to try to accommodate the needs
8 that you've expressed. Time after time we have and we
9 have again in this issue, so you'll have an independent
10 party that can assure that that evidence is collected
11 properly, that it's not compromised, and so forth.

12 Sealed documents, you had a problem with
13 that. I have copies for you, David -- Are you
14 listening?

15 DAVID KORESH: I am.

16 BYRON: I have copies for you of the, of the
17 warrant for your arrest that was filed -- Let me get it
18 out here. The warrant for your arrest was filed before
19 United States Magistrate Dennis Green on the 25th of
20 February. That's four days, three days before the
21 unfortunate incident out there with the raids and, and
22 the loss of life. But I'm telling you it's a legal
23 document. I've got an original fax sent in to me from
24 the U.S. Attorney's Office at 12:26 today.

25 I've not been sitting on my hands trying to
get this done for you. I've got a copy of the search

1 warrant that you -- that Wayne had expressed a problem
2 with because he questioned whether or not there was
3 even one in existence. I've got it here, and it says
4 "In the matter of the search of residence of
5 Vernon Wayne Howell, also known as David Koresh and
6 others, Route 7, Box 471B, also known as Mount Carmel
7 Center." I've got it sitting here to provide to you so
8 that you would know, David, that I am not trying to run
9 a game on you.

10 If I sound excited or if I sound upset or
11 whatever, I'm excited to get you out. Safely. That's
12 the only reason that I'm sitting here. Now, you've
13 also mentioned -- So those things -- That aspect of it
14 is not sealed, it's not secretive, it's not something
15 that's being suppressed. I stand ready to provide it
16 to you, and I still stand ready to provide it to you.
17 I've personally talked to the Texas Rangers. I've
18 taken this all the way up to Maurice Cook. Do you
19 happen to know him, the senior ranger captain?

20 DAVID KORESH: No, I don't, I don't remember
21 his name.

22 BYRON: In Austin, Texas. That's where I'm
23 assigned. I know this man. I know that he's, that
24 he's straightforward and he's honest and he is not
25 going to give you a line of garbage, and neither am I.
He tells me that he absolutely stands ready and has a,

1 a significant force of rangers up here to be able to go
2 in and handle the homicide aspect of this
3 investigation. If, if you have a concern that this is
4 being covered up by the federal government or whatever,
5 it's not being covered up because we're not even going
6 to be the lead agency in it. It's the Texas Rangers.

7 I don't know any finer agency to handle this
8 thing on a state level. That's -- We've been able to
9 ensure that for you. The media, we've made
10 arrangements for -- again, as I mentioned. We've made
11 arrangements -- In fact, if you saw the press
12 conference today or yesterday --

13 DAVID KORESH: No, we, we can't see nothing.
14 Our electricity is turned off.

15 BYRON: Okay. Did you hear it?

16 DAVID KORESH: No.

17 BYRON: Okay. Well, you need to get together
18 with your other troops 'cause they've told us that you
19 did hear it today.

20 DAVID KORESH: Did somebody listen to the
21 conference today?

22 BYRON: Anyhow, they will tell you that a
23 specific question was raised by the media as to how
24 come we have arranged for a pool camera. Do you know
25 what that term is?

DAVID KORESH: No. What's a pool camera?

1 BYRON: Instead of having, you know, 20 or 30
2 news crews out there, you have a centralized camera
3 crew selected by the media, not selected by law
4 enforcement, to have an accurate and a specific
5 recording of the events as you all come out. That
6 stands ready to be done and they'll be ready at 3 if
7 you tell us. We also have made inquiry regarding your
8 concerns about ATF, as to whether or not there's any
9 reprimand or independent inquiry going on. I'm telling
10 you it's going on right now.

11 I've also got a document that I cut out of
12 the newspaper to show you how this thing tracked from
13 the very inception. I don't know if you're even aware
14 that the FBI had a complaint on this back in I think
15 1990, allegations from, from your buddy Marc Breault is
16 it?

17 DAVID KORESH: Marc who?

18 BYRON: From Australia. Is that the proper
19 pronunciation?

20 DAVID KORESH: Marc Breault?

21 BYRON: Breault, okay. We looked into those
22 at that time and we -- that's when we first hooked up
23 with, with Jack Harwell, the sheriff here in McLennan
24 County, and with the county authorities as far as the
25 concerns, genuine concerns, or at least what we felt
were genuine concerns, as to how those kids were being

1 | treated. The results that we got back from the
2 | appropriate authorities, and I stress appropriate
3 | because we are not big brother, we're not tromping on
4 | people, we're going to go to the people that have the
5 | rightful authority to say yes, these kids are being
6 | handled properly or no, they're not and we have genuine
7 | concern and you should go forward with your
8 | investigation. We found in 1990 that there was no
9 | justification that we found, no substantiation of any
10 | allegations regarding mistreatment of those kids.

11 | DAVID KORESH: Our children are the best
12 | treated in the world.

13 | BYRON: And I'll tell you, I have had the
14 | pleasure, David, and I, I will say this twice, I have
15 | had the pleasure of meeting with several of the kids
16 | that you have allowed to come out of that compound and
17 | they're wonderful. I've got, I've got three young men
18 | of my own. I just hope they're that well behaved when,
19 | when I'm not around. But you need to be around.
20 | You've got an investment in the future. Exercise it.

21 | Let us help you to get those people out. The
22 | last thing I want to tell you is that there is a
23 | Congressional inquiry going on on this matter right
24 | now. There's internal inquiries from ATF and the FBI
25 | is, is in a position to continue to maintain control of
this overall situation to assure you, and I'm telling

1 | you this from 24 years in the FBI, you are not going to
2 | be victimized by the manner in which this investigation
3 | is conducted.

4 | We are not going to allow anybody to
5 | compromise any aspect of this investigation, as long as
6 | it has the FBI on it. Now, I'm not saying that would
7 | happen in the first place, but I'm telling you that it
8 | ain't going to happen under the Bureau. Do you
9 | understand that?

10 | DAVID KORESH: I hear what you're saying.

11 | BYRON: That's my personal assurance to you,
12 | David. And I'll live up to it and I can assure you
13 | that my commanders will live up to it. Now, I don't
14 | know what else we could do. We're ready to go. We
15 | have the capabilities of carrying this forward. You
16 | need to be man enough, prophet enough to help your
17 | people in there and the ball is in your court. I don't
18 | know what else we can do. Everything you've asked for
19 | we've accomplished.

20 | We're ready to go. We're done talking. As
21 | far as, as trying to get things arranged in the future,
22 | we'll talk to you anytime you want to talk. But what
23 | I'm telling you is that we're done talking about
24 | telling you we're gonna, gonna, gonna. We've done it.
25 | We're ready to go forward and we're ready to go forward
 | right now.

1 DAVID KORESH: Okay. The things that you've
2 already stated to me, have you stated them to Wayne
3 Martin as of yet?

4 BYRON: No, because he didn't want to come --
5 I don't know what, what Wayne's problem is. I don't
6 know if he's afraid to come out and meet us in the road
7 again. I don't know what the deal is. Hopefully, the
8 man's not because I looked him in the eye, as I, as I
9 look forward to looking you in the eye and telling you
10 that, that my heart's in the right place. I deal, deal
11 with you from a position of honesty.

12 I will not lie to you. If you ask me a
13 question and the answer is something that I know you're
14 not going to want to hear, I'm going to tell you the
15 truth anyhow, and then we'll work through it. I'm not
16 going to lie to you. I told him the same thing. My
17 understanding was that we were going to meet again. We
18 left on very good terms, shook hands. Of course, we
19 were all freezing our, our rears off, but we shook
20 hands. We've looked each other eye to eye.

21 I spoke more to Steve than I did to Wayne,
22 but I, I assured him, because I have respect for the
23 man as an attorney, that I would try to find out the
24 questions that he had asked from a legal standpoint.
25 I'm telling you I have those answers. Now, after an
indication, and I've got to admit it it wasn't a

1 | guarantee on their part, but it was an indication, a
2 | very straightforward indication I felt, that they were
3 | ready to meet again when I had the answers for them.
4 | We're ready to meet, they're not.

5 | DAVID KORESH: Wait, just wait one second.
6 | (End of Tape 5x.)

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U.S. DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO & FIREARMS

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TAPE #6x

3/17/93
2:14 P.M. - 2:55 P.M.

1 (Tape 6x)

2 DAVID KORESH: Hello?

3 BYRON: Yes, sir?

4 DAVID KORESH: Well, what, what I'm hearing
5 is that you never requested for Wayne, you just
6 requested for Steve to come out.

7 BYRON: No, we asked for -- This morning --
8 Now, if it was a misunderstanding, then that's my
9 apology. David, I'll meet with you out there. I'll
10 meet with Wayne out there or I'll meet with -- If it'll
11 do me any good, I'll talk to these black cows that are
12 out here in the, in the field. I just want to get this
13 thing resolved. And let me apologize to you right now.
14 If I got a little heated and it sounded to you --

15 DAVID KORESH: Not heated, just zealous.
16 We're both zealous. We understand that. No, no
17 problem.

18 BYRON: But please understand this. Being
19 zealous is fine if it's for the protection of people,
20 and that's all I'm asking you to do.

21 DAVID KORESH: I understand.

22 BYRON: Okay? We can, we can work this out,
23 but we have got -- You need to understand, and I think
24 that, that Steve may have jumped to the wrong
25 conclusion or whatever. I'm telling you that, that
this is not a forever-lingering situation, that we're

1 | going to be here, you know, pardon the pun as I'm
2 | looking out the window here, till the cows come home.
3 | We need to get this resolved now. People are hurting
4 | in there. You're hurting in there, David, and I'm
5 | concerned about that. We need to get this done.

6 | DAVID KORESH: Well, what, what breaks my
7 | heart, Mr. Byron, Byron --

8 | BYRON: Sage.

9 | DAVID KORESH: Byron --

10 | BYRON: S-A-G-E, as in wise one, which I
11 | don't live up to.

12 | DAVID KORESH: Okay. Well, what breaks my
13 | heart --

14 | BYRON: Is that a signal to you? You're
15 | getting this message from a sage, okay?

16 | DAVID KORESH: That, that's fine.

17 | BYRON: Okay. Let's, let's get this done,
18 | David.

19 | DAVID KORESH: Things are only as good as the
20 | spirits that they, that they --

21 | BYRON: I couldn't agree with you more.
22 | Then, David, be a leader of men.

23 | DAVID KORESH: I am a leader in one respect,
24 | and that's something that you don't understand, 'cause
25 | I know you don't want to get into a religious
discussion. But here's the think that I'd like to say.

1 | What hurts my heart is that there is a wealth of
2 | information that must be known and there are two ways
3 | it can be known. First of all, by the mediation of
4 | giving the information, which is the continuation of
5 | the gospel.

6 | In other words, since 1985 I've gone to
7 | colleges, churches, to try to present to them in the
8 | most sober and plainest statement that there's
9 | necessity now to bring all the churches into unity.
10 | There are many different churches in this country, many
11 | different faiths, many different aspects of knowledge,
12 | which is the fulfillment of the gospel. You receive
13 | Christ (indiscernible). Not everybody has the same
14 | knowledge, not everybody has the same development or
15 | level of understanding.

16 | Well, what is designed in heaven, the place
17 | that I know more of than a lot of people --

18 | BYRON: Okay.

19 | DAVID KORESH: -- is that there is one thing
20 | and only one thing that can bring the minds and spirits
21 | of men into one bond of unity, and that is the
22 | knowledge of the Seven Seals. That's my job.

23 | BYRON: I appreciate that.

24 | DAVID KORESH: And the thing of it is is that
25 | it's only one man's job, as you already see yourself
and bear witness within your own spirit.

1 BYRON: That's right.

2 DAVID KORESH: No man but the Lamb can reveal
3 these things. Of course, you know, the sad thing of
4 Matthew 24 is Christ begins to tell the disciples about
5 the abomination and desolation spoken by Daniel the
6 Prophet, but he ends with the statement that when
7 (indiscernible) stays in the desert, go not forth.
8 When (indiscernible) stays in the secret chamber,
9 believe it not. I mean, it's not hid. The coming will
10 be like (indiscernible) to the west. But the sad
11 statement is that wheresoever the carcass is, is this
12 implying that Christ might be killed when he comes
13 again? That Moses smite the rock twice? These are
14 things that we hope not.

15 We hope that mankind, we hope that the men of
16 this world and this generation learn from the stumbling
17 blocks of yesterday to make these stumbling blocks
18 stepping stones for the time in which the gentiles are
19 to be judged. Only one judgment, one truth, one God,
20 one faith, one baptism, one Lord, one knowledge, Seven
21 Seals.

22 BYRON: I agree.

23 DAVID KORESH: And we want to work this out
24 with you in the greatest concern. I love you, I love
25 everyone on the outside here. I don't seem -- I don't
wish to seem that I'm being arbitrary or obstinate.

1 | It's just I have a chain of command, too. I do only --
2 | Well, like it says in the oath of the Book of John --
3 | When you read the Book of John, what's Christ? Always
4 | trying to tell the Sanhedrim and Pharisees, my doctrine
5 | is not my own but that which I received of my father.

6 | And so we know what happened to him and so we
7 | know that when it comes around again in the last
8 | days --

9 | BYRON: Let me talk about that for a second.

10 | DAVID KORESH: Sure.

11 | BYRON: Okay, we know what happened to him.
12 | We know that, that you have your mighty men. We know
13 | that you're in a position, and I'm sure you perceive it
14 | to be a defensive position, but -- And again, I'm not
15 | trying to debate you religiously. You would leave me
16 | in the dust in a heartbeat as far as specifics --

17 | DAVID KORESH: Can I explain those mighty
18 | men?

19 | BYRON: Pardon me?

20 | DAVID KORESH: Can I explain the mighty men?

21 | BYRON: Well, let me just, let me just -- I
22 | am very interested in --

23 | DAVID KORESH: Go ahead.

24 | BYRON: -- your explanation of it, but let me
25 | finish this train of thought. When, when Jesus went
through some of the same hardships that you've been

1 | through, as far as the, the, the arduous times and the,
2 | the anguish of Gethsemane, when the betrayers brought
3 | forth the, the soldiers, the Roman soldiers to, to
4 | break him in to stand charges, he had his mighty men,
5 | too, basically. He had -- And again, you're talking to
6 | a layman and I don't claim to be preaching to you.

7 | DAVID KORESH: Go ahead. I understand what
8 | you're saying.

9 | BYRON: But when, when he was arrested, one
10 | of his disciples also stood and attempted to take
11 | offensive action, and maybe he perceived it as
12 | defensive action, but it was still an act of violence
13 | in cutting off the ear of the Roman soldier, right?

14 | DAVID KORESH: Exactly.

15 | BYRON: Okay. What did Christ tell his
16 | disciple to do?

17 | DAVID KORESH: He reminded him of the legions
18 | of angels.

19 | BYRON: And to lay down his arms, right? Lay
20 | down his sword, this was not the time for violence.
21 | That's exactly -- And again, I apologize coming to you
22 | as a layman like this, but I'm telling you that that's
23 | what you need to do. You need to address your mighty
24 | men to lay down that sword and to give yourself that
25 | opportunity to, to have your day before Pilate. Okay?
Take this before the, the appropriate judicial

1 | proceedings to work through this.

2 | Have the opportunity to allow the crime scene
3 | search to be conducted, the, the facts as you saw them,
4 | because right now all that we have is what we've been
5 | able to deduce based upon the, the evidence as we know
6 | it from the outside. Independent law enforcement,
7 | independent investigation has got to come in,
8 | thoroughly evaluate -- You keep referring to, to -- Or
9 | Steve, I should say, refers to shots being fired from
10 | helicopters.

11 | Now, they mentioned during one of the press
12 | conferences that there were three helicopters in the
13 | area, but all that they had in it was command personnel
14 | and, and I think a camera. And not a media camera, but
15 | a camera documenting the progress of, of the planned
16 | raid, which, believe me, was not -- Well, from my
17 | understanding, okay, you don't have to believe me at
18 | all, but from my understanding, it was not intended to
19 | do anything but attempt to secure the premises.

20 | Now, you have reason to believe, according to
21 | Steven, that there may have been shots fired from a
22 | high angle, which would indicate an aircraft or, or a
23 | helicopter.

24 | DAVID KORESH: Well, Peter Gent was killed by
25 | the -- It was full of ATF agents and they were full
armed. They were trying to land. They were back and

1 | forth. As a matter of fact, when the news media --
2 | When they landed, they said the helicopter barely made
3 | it and it landed --

4 | BYRON: Right.

5 | DAVID KORESH: -- it was full of ATF agents.
6 | They were fully armed.

7 | BYRON: Okay. Let me, let me just mention
8 | this. David, that's what we need to be able to
9 | determine by coming in and doing the type of crime
10 | scene search that you yourself were asking for. If
11 | that's the case and it's in conflict with what's been
12 | represented, then that type of information needs to
13 | come forward to fully air all aspects of the
14 | investigation.

15 | DAVID KORESH: Well, I, I agree with you.

16 | BYRON: There's a, there's another famous
17 | quote that I think you and I both live by, and that is
18 | that the truth will set you free.

19 | DAVID KORESH: Exactly. If you continue --

20 | BYRON: Let it set you free, David. Let it
21 | set you free.

22 | DAVID KORESH: If you continue in my
23 | doctrine, then you shall know the truth and the truth
24 | shall set you free.

25 | BYRON: And the truth shall set you free.
That's exactly right.

1 DAVID KORESH: And the Seven Seals is what he
2 was referring to. I know, I was there.

3 BYRON: Okay. Then it's time to be here now.

4 DAVID KORESH: Okay. Another, another
5 reminder is that as Christ stood before Pilate, Pilate
6 also made the statement that he had power to destroy
7 Christ or set him free. Remember?

8 BYRON: Yes.

9 DAVID KORESH: He asked if Christ was the
10 king. Christ says, Say this of thyself or did others
11 tell thee of me? Then Christ stated that yes, he was
12 born for this purpose, but he also stated that my
13 kingdom is not of this world, which it wasn't. The
14 manifestation of power definitely showed a difference
15 between the humanity of Christ and that of other men.
16 But he says if my kingdom were of this world, then
17 would my servants fight that I would not be delivered
18 unto the Jews. Remember that statement?

19 BYRON: I do vaguely. I don't claim to, to
20 know the scripture.

21 DAVID KORESH: He says but my kingdom is not
22 from him. But when the Lamb comes with the Seven
23 Seals, the unfolding of those seals, not stated by
24 me -- Remember, you can't -- don't believe me, forget
25 me altogether. Forget my voice, forget my image. I
mean, I, I, I am nothing, okay?

1 BYRON: David --

2 DAVID KORESH: As far as you can see. But
3 now, here's the thing. When the seals are opened to
4 you, when I do come out and I do show you these seals,
5 remember, with the strictest sense of respect to God
6 who sits on the throne, 'cause remember, God who sits
7 on the throne still rules over the sons of men.

8 BYRON: Absolutely.

9 DAVID KORESH: You know, God's kingdom --

10 BYRON: All of us.

11 DAVID KORESH: The heaven is my throne, and
12 the earth is my foot stool. God still has jurisdiction
13 on this little ball out here, right? Remember that the
14 seals will testify by the prophets and they will give
15 you the details of the work and mission of Christ.
16 There's one of the Psalms that says, you know, that
17 they set themselves against me 'round about. It says
18 they now come past us in our steps and their eyes are
19 towards us, bending downwards to earth so they know not
20 the thoughts of the Lord. It says, you know, put my
21 fears into thy bottle and they're not written in thy
22 book.

23 Everything about Christ is contained in the
24 shadow of God's hand. The mission, the work, the
25 purposes, the doctrine is all found in the testament of
the prophets.

1 BYRON: David --

2 DAVID KORESH: Sir?

3 BYRON: -- you're a gifted man. You've got a
4 message to bring forward. We are providing you with a
5 vehicle to do it. I know you don't need that vehicle,
6 but you've asked for it, we stand ready to provide it.
7 Now, I, I have one question of you.

8 DAVID KORESH: Sure.

9 BYRON: You mentioned fishing. It's time to,
10 to fish or cut bait. I stand prepared to accept
11 whoever you want to direct out of that compound, and
12 I'm hoping that you will lead your flock. But if you,
13 if you elect not to, we'll respect that. But what I'm
14 telling you is it's time to show the truth of your
15 words. You have said that the people there are free to
16 come out. They also respond.

17 David, you and I both know that if you say go
18 forth, they will go forth. It's time for you to direct
19 them to come out. Now, let me, let me explain
20 something to you, man to man. I need something to hang
21 onto here. I've been out scurrying around for a day-
22 and-a-half, convincing my, my commander that I think
23 that we've got a good opportunity here to meet this man
24 halfway.

25 He is convinced that, that that's a good
idea, that it's something that should be done and has

1 | been done in good faith. Now, I stand ready. I'll
2 | be -- They've got those, those blasted speakers out
3 | there, right? I'll get on the speakers and I will, I
4 | will be there to assure you that, that the buses are
5 | there, they're ready to accept your people. David,
6 | please, I'm, I'm asking you, send your people out.
7 | Bring yourself out.

8 | Let us get you into the proper forum. You're
9 | a gifted man, you're an orator. You claim to be a
10 | prophet. Prophesize --

11 | DAVID KORESH: I am not a prophet.

12 | BYRON: -- to the people that will hear it.

13 | DAVID KORESH: I'm not a prophet. I never
14 | claimed to be a prophet.

15 | BYRON: Okay. Then, then that's my
16 | misinterpretation of what you've said. You are a
17 | gifted man.

18 | DAVID KORESH: But, remember, only the Lamb
19 | can reveal the Seven Seals, you know. I may be greater
20 | than a prophet, I may be the genuine. You never can
21 | tell unless you learn the seals.

22 | BYRON: Okay. And I -- Believe me, I've done
23 | more (indiscernible) --

24 | DAVID KORESH: Are you going to kill me?

25 | BYRON: -- in the last three weeks than I
have in, in all my life. So if you, if you've

1 attempted to accomplish something, you've done that.
2 Now really go forward. You've, you've reached out and
3 you've contacted a, a myriad of, of negotiators here.
4 You've talked to people who were genuinely interested
5 in you and hopefully we will continue to talk to you.
6 But I want to talk to you face to face.

7 I want to talk to you during the -- during
8 your court process to assure you that we will continue
9 to stand by you as an ally, not an adversary. And
10 we're ready to do that if you will just allow us to do
11 it.

12 DAVID KORESH: Well, like I said, are you
13 going to kill me?

14 BYRON: Are we going to kill you?

15 DAVID KORESH: Right.

16 BYRON: No.

17 DAVID KORESH: How do you know?

18 BYRON: Well, let me, let me rephrase that.
19 You have, and we have expressed to you, some very
20 specific rules of safety. Those, those rules are still
21 in effect. That will cause a, a complete, no-
22 questions-asked understanding between your people and
23 the people out here that have to safely supervise the
24 exit of your people, including yourself, from that
25 compound. I can assure you, I do assure you that it is
not the intention, we are not here to execute you,

1 | we're here to help you.

2 | We're here to extract you from there, not to
3 | force any kind of a confrontation which ends in, in
4 | more blood shed. David, I can't tell you that any more
5 | from the heart than that.

6 | DAVID KORESH: I believe you.

7 | BYRON: I'm talking about in the word of, of
8 | who you and I both know to be our, our salvation,
9 | that's the way it is. So you asked the question
10 | straightforward, I just gave you the answer
11 | straightforward.

12 | DAVID KORESH: Can I -- Can, can we like have
13 | a conversation later on today? I'm fixing to -- See,
14 | my, my side -- I'm sitting up right now. I came down
15 | from where I was at.

16 | BYRON: I understand.

17 | DAVID KORESH: And my physiological being is,
18 | is, like I say, is just like yours. We have, we have
19 | certain things we've got to do and we've got to do.

20 | BYRON: I understand.

21 | DAVID KORESH: Could we possibly get on a
22 | conversation some time maybe not far from now, to where
23 | I can possibly show you some of the things that I teach
24 | the people here?

25 | BYRON: David, that would be fine --

 DAVID KORESH: Just between me and you?

1 BYRON: -- but I prefer to do that man to
2 man, okay?

3 DAVID KORESH: Well, that's what I'm saying.
4 I'm saying I'd like to kind of like predestinate you
5 earlier so you can see where I'm coming from.

6 BYRON: Are you -- You come out and I'll meet
7 you anywhere.

8 DAVID KORESH: Well, I can't do that until my
9 father says it's time to go.

10 BYRON: Okay. Then let me -- I respect that,
11 okay?

12 DAVID KORESH: I mean, that's just where --
13 My my, my --

14 BYRON: David --

15 DAVID KORESH: -- ardent way is I always
16 obey.

17 BYRON: I understand that and I'll respect
18 that, and I'm sure my commander will. But I need to
19 show him some progress here. Okay?

20 DAVID KORESH: Well, here --

21 BYRON: And I think we've made a tremendous
22 amount of progress just through this conversation. And
23 again --

24 DAVID KORESH: You know, you know from the
25 bug that you had in our building here, you know that
we've had a crisis amongst us. You know that, don't

1 | you?

2 | BYRON: Yes, I do know that.

3 | DAVID KORESH: Now, you know that in
4 | Levitical law that liquor and things like that in small
5 | moderation are acceptable to God. You know that, don't
6 | you? As it says, it's according to Deuteronomy and the
7 | Laws of Moses, thou shall tide the liquors and thy
8 | strong drink. You know that?

9 | BYRON: Yes.

10 | DAVID KORESH: God does not condone
11 | drunkenness.

12 | BYRON: I agree.

13 | DAVID KORESH: God does not condone anything
14 | that's in excess.

15 | BYRON: Okay.

16 | DAVID KORESH: Okay. Well, what took place
17 | was in the initial confrontation, some of the people
18 | that are laying hoe to the promises of God and the
19 | seals took liberties to, to -- You know, I've been
20 | shot. They took liberties to indulge themselves in
21 | some of the, in some of the store.

22 | BYRON: Okay.

23 | DAVID KORESH: And we had small amounts, you
24 | know. And in so doing, it created a problem on our
25 | side because, like I say, God is not to be trifled with
and this is a violation of God's mandate and God's law.

1 BYRON: Okay. And that's for your
2 supervision. I understand that.

3 DAVID KORESH: Yeah.

4 BYRON: I understand.

5 DAVID KORESH: And so -- But, see, these
6 people, you know, as Christ told us, as your Christ has
7 told you what is written in the book, you know, fear
8 not ye that can kill the body. Let me tell you who to
9 fear. Fear him that after he has killed the body can
10 cast the soul into hell.

11 BYRON: Absolutely.

12 DAVID KORESH: Now, this is where my first
13 and foremost comes to front. I love these people in
14 here more than you could ever understand. I love you
15 more than you can understand.

16 BYRON: I do understand that and I appreciate
17 it.

18 DAVID KORESH: But here's the thing. This is
19 something that according to the jurisdiction of God and
20 according to the, to the wave sheaf that are in heaven,
21 it's something that's an extreme violation. It's also
22 been forewarned according to the -- in your Bible, it's
23 the 22nd chapter of Isaiah, forewarning of this
24 confrontation. But the thing of it is it does create a
25 great problem with us as a body that we have to
resolve. And --

1 BYRON: David, do me a favor.

2 DAVID KORESH: Yes?

3 BYRON: Please. This is a request. While
4 you are consulting, while you are, are at the book,
5 while you're taking care of your own personal needs,
6 let's start the process. Let's, let's send that sign
7 to, to my commanders that, that we haven't reached an
8 impasse, we now have an understanding based upon mutual
9 respect. Take charge of the people that you have
10 there, their best interests, and go ahead and, and
11 let's start some people out. Let's get -- We've got
12 three buses here.

13 If we've got to jam them to the gunnels,
14 we'll do that. We'll accommodate as many people as you
15 can send out. And I would love for that first person
16 to be you and I would -- I will move heaven and earth
17 to try to get you out of there safely. But if we can't
18 do that because of your, your conviction to remain
19 there and take care of matters that are at hand right
20 now, let's at least start getting some of these other
21 people out.

22 Let them be a testament to what you stand for
23 and let them testify to you as to, to what I'm standing
24 for, the fact that they'll be treated properly and
25 they'll have the, the things provided to them that we
promised you and I intend to insure that we live up to.

1 | Let's do this, let's do it now. I just got the message
2 | that the buses are here, so they're here before 3. And
3 | if you think that's because we're anxious, it's because
4 | we're committed.

5 | DAVID KORESH: Well, you also know -- Have
6 | you ever heard of the daily?

7 | BYRON: Pardon me?

8 | DAVID KORESH: Have you ever heard of the
9 | daily?

10 | BYRON: Daily devotionals? Yes, sir.

11 | DAVID KORESH: Right. In other words,
12 | according to the, to the commandments of, of
13 | (indiscernible) it was commanded that from the sixth
14 | hour unto the ninth hour there's to be a worship to God
15 | where the Lamb is offered twice a day for the mediation
16 | of all of Israel as a nation?

17 | BYRON: Yes.

18 | DAVID KORESH: You know Christ took that
19 | mediation to heaven, right? Instead of sacrificing
20 | animals, they will keep the bread and the wine twice a
21 | day.

22 | BYRON: Yes.

23 | DAVID KORESH: This is something that was
24 | done away with, something -- the daily was done away
25 | with according to the prophecies of Daniel and also
 | throughout the scriptures, but it's been reinstituted

1 | in the latter days. The mediation of Christ and the
2 | heavenly saints for the new covenants, the Seven Seals,
3 | which Peter said will be revealed in the latter days.
4 | The church is supposed to be ready for this when it
5 | came. All the New Testament writers write about this,
6 | you know, Christ mediates.

7 | What does he mediate? He mediates the Seven
8 | Seals. What are they? Peter says in the last days
9 | you'll know.

10 | BYRON: Okay.

11 | DAVID KORESH: But anyway, during these hours
12 | between 2 and 3 is the evening part of that worship.
13 | So, you know, it's something that --

14 | BYRON: That's some coincidence here, David.

15 | DAVID KORESH: -- we hope that you respect
16 | and I respect because, like I say, I don't condemn you
17 | for your worship. I don't condemn anybody or any
18 | religion. They don't know what they're doing, that's
19 | what my statement is. They don't know the seals,
20 | they're not completely complete in Christ, they still
21 | need grace. And this is what's being mediated in
22 | regards to our position is what are we going to do,
23 | what's my position with God, what have I learned in 33
24 | years of life, what is it really like down here, you
25 | know, what is the problem with the minds of men in this
 | generation?

1 You know, this is the way God is. This is
2 the ministration of Melchizedek, God in the flesh, you
3 know. What's it really like from your point of view?

4 BYRON: David, you, you mentioned that
5 it's -- that your daily devotional is between 2 to 3.
6 It's, it's not -- Are you there?

7 DAVID KORESH: I'm here.

8 BYRON: It's not pure coincidence that we,
9 that we came upon the time of 3:00. That's out of
10 respect for your devotionals.

11 DAVID KORESH: Right.

12 BYRON: Okay? Our buses are here. The
13 drivers are not in devotionals, but I guarantee you
14 that we're devoted to a safe resolution of this matter.
15 Three o'clock, three-thirty if need be. In fact, you
16 are still -- you're in a position where you can, you
17 can go into those devotionals -- I don't know if
18 they're, if they're individual devotionals or as a
19 group.

20 DAVID KORESH: I've not been able to teach
21 classes lately.

22 BYRON: Okay. But now is your opportunity to
23 teach a very important message, and that is going to be
24 trust, and we will live up to that trust. But let's
25 get some of those people coming out. And again, I
personally wish that you were at the, the head of this,

1 | this first group. But I, I can understand that.

2 | DAVID KORESH: Mr. Byron, just be sure as
3 | you, as you review the, the book that you, that you say
4 | you believe --

5 | BYRON: I don't say I believe it. That comes
6 | from my heart, not from my --

7 | DAVID KORESH: Well, I know. What I'm saying
8 | is I'm saying that, you know, I, I believe that what
9 | you're saying is in sincerity, but what I'm saying is
10 | that it comes to the point of understanding what we're
11 | reading. And it just so happens that God tells the
12 | prophets to seal their book till the time of the end.
13 | A lot of things in the prophesies that is not given to
14 | men to understand until the time.

15 | BYRON: Okay.

16 | DAVID KORESH: So that's just the truth.

17 | BYRON: I understand that.

18 | DAVID KORESH: And that's why the seals are
19 | so important. So in all due respect, please, in behalf
20 | of God, the part of God you don't know yet, and no man
21 | knows God totally, we all agree on that --

22 | BYRON: Okay.

23 | DAVID KORESH: -- make sure that in your own
24 | personal experience you're not found fighting against
25 | God, because, you know, I, I would love to show you
these seals. And in all due respect, respect one thing

1 of us, and that is when I say that my God's told me to
2 wait, I have to wait.

3 BYRON: That's --

4 DAVID KORESH: And the thing of it is is that
5 those who are waiting on my God have to make their
6 individual decision.

7 BYRON: David --

8 DAVID KORESH: There are people here who are
9 afraid. I'm not afraid. I'm not afraid of you, man,
10 or anything.

11 BYRON: I understand that. I respect that.

12 DAVID KORESH: But they are being tested
13 likewise because there were some who did choose to come
14 out. They are afraid, you know. They, they are not
15 confirmed in every respect to what God has stated.

16 BYRON: And if they, if they are strong in
17 their faith, let them, let them show that by having
18 the, the strength to come out and, and test what I'm
19 telling you. I'm telling --

20 DAVID KORESH: Well --

21 BYRON: Please, let me finish. We need to
22 get something going today. This -- You and I both need
23 to demonstrate that we can get this thing moving.
24 We've, we've been at a stalemate, basically, and I'm
25 not saying that it's, that it's your fault. Maybe, to
a large extent, it's our fault, but we've been at a

1 | stalemate for the last basically two weeks. You, you,
2 | you are the leader that saw fit to ensure the safety of
3 | those children. You are the leader that saw fit to
4 | ensure the safety of the two elderly ladies that came
5 | out that were -- All of them have been testaments to
6 | the quality and the teachings that you have.

7 | Bring forth more and the time is now. Okay?
8 | We've got the -- The buses are here. I will personally
9 | oversee -- I'll be on the microphone, for crying out
10 | loud, showing you that, that these people are, are --
11 | that we're ready to receive them. We'll, we'll work
12 | out whatever is best for you as far as, as trying to,
13 | to have a safe, I stress safe, and orderly exit of
14 | those people that, that you direct to come out of that
15 | compound.

16 | Now, David, you know as well as I do, you
17 | know as well as I do that if you instruct them to go,
18 | they will go forth. There's no question in your mind,
19 | there's no question in mine.

20 | DAVID KORESH: If I received that from my
21 | father, that's what they would do.

22 | BYRON: Right.

23 | DAVID KORESH: But I have not received --

24 | BYRON: David --

25 | DAVID KORESH: -- that call.

 BYRON: David, please, you need to realize --

1 | And I respect what you're saying, but you need to
2 | realize that we need to find some common ground here.

3 | DAVID KORESH: Yes, we do.

4 | BYRON: We need to show that there are still
5 | options open, that they didn't close up two weeks ago
6 | because of, of whoever's actions. That's history.
7 | We're talking now.

8 | DAVID KORESH: Yeah, we are talking now.

9 | BYRON: Okay? The buses are here. The
10 | medical treatment is, is available. We are ready to
11 | live up to our end of the bargain. Let's meet halfway.

12 | DAVID KORESH: Why don't you talk with
13 | individuals here? Like I said, I, I've got, I've got
14 | to leave. Not that I'm trying to cut you off, it's
15 | just that it's, it's a biological thing. A physical
16 | thing.

17 | BYRON: David, I'd be happy to, to talk to
18 | those people, but let me, let me do this. I'll talk to
19 | those people when they come out. Okay? I've got --
20 | Believe it or not, I can directly relate to what you're
21 | talking about 'cause I have the same particular call of
22 | nature at this moment.

23 | DAVID KORESH: Right.

24 | BYRON: Let's get this resolved. Let's bring
25 | the people out. We'll meet them, we'll take care of
 | them, we'll -- If you want a representative, you name

1 | him, we'll have him give you a call back and ensure
2 | that they give you the same indication that they've
3 | been treated properly. What we've told you, David, we
4 | stand behind. I've not lied to you. None of the
5 | negotiators have lied to you, nor will they.

6 | DAVID KORESH: We never got our magazines.

7 | BYRON: We, we never got your departure from
8 | the --

9 | DAVID KORESH: Uh, uh, uh, that was far after
10 | that.

11 | BYRON: Pardon me?

12 | DAVID KORESH: No, no, no. The magazine deal
13 | was an agreement made far after that event.

14 | BYRON: I -- Let me tell you this. If we can
15 | show some progress on this, I am absolutely certain
16 | that I can convince --

17 | DAVID KORESH: Here, here's Steve. I've got,
18 | I've got to go. I'm sorry, I don't mean to be rude,
19 | but I have to go for right now. Okay?

20 | BYRON: David, do we have an understanding.

21 | DAVID KORESH: Yeah. Well, I understand what
22 | you're saying and I hope you understand what I'm
23 | saying.

24 | BYRON: Do we have an understanding? Can we
25 | get some people out? I need to be able to show my
 | boss --

1 DAVID KORESH: Here, here's, here's Steve
2 real quick.

3 BYRON: -- we've done something. [gap]
4 Steve? Hello?

5 STEVE SCHNEIDER: Okay.

6 BYRON: Steve?

7 STEVE SCHNEIDER: Yes.

8 BYRON: Interesting discussion. Is this on a
9 speaker phone? Could you understand what we were
10 talking about?

11 STEVE SCHNEIDER: No, I couldn't. I didn't
12 hear anything, other than, you know, what he was
13 saying. It's not on the speaker phone.

14 BYRON: Okay.

15 STEVE SCHNEIDER: But what I heard --

16 BYRON: I'm hoping, Steve, that we, that we
17 came to an understanding where we can get something
18 started, that we -- The buses are there right now. You
19 can look out the window. They're down by, what do you
20 call it, the Y or the T or --

21 STEVE SCHNEIDER: Okay.

22 BYRON: Actually, I think we've got, we've
23 got enough buses positioned in both places to ensure
24 that you can see them. Do you remember where we had
25 the safe and orderly transition of a number of
children?

1 STEVE SCHNEIDER: Yes.

2 BYRON: A number of children, down by the
3 water towers?

4 STEVE SCHNEIDER: Yes, I do.

5 BYRON: We can do it there. You, you call
6 where, where you want it and we will work with our
7 people to ensure mutual safety and we'll get this done.
8 But we need to do it now. Kids, women, men, yourself.
9 You and I have talked eye to eye and I'm telling you
10 that -- I'm assuring you that I'm telling you the
11 truth, but I -- Steve, are you in a position to talk
12 there or are there several people around or --

13 STEVE SCHNEIDER: Yes. No, no, I'm
14 listening. In fact, you know, I don't want to
15 interrupt you when you're, you know, opening it up and
16 laying it out.

17 BYRON: Okay. Well, let me lay this out for
18 you.

19 STEVE SCHNEIDER: All right.

20 BYRON: You and I are in the same boat.
21 You're between a rock and a hard spot trying to get
22 things accomplished, and I genuinely believe that.

23 STEVE SCHNEIDER: Okay.

24 BYRON: You've got to deal with your
25 commander, be that David, God, whatever. I'm dealing
with my commander who's not quite as powerful, but

1 almost. All right? I've got to show him that we're
2 making progress here in order -- And please listen to
3 this and understand this is not a threat.

4 STEVE SCHNEIDER: Um-hum.

5 BYRON: But there -- I have got to be able to
6 show him that we still have some options, that things
7 have not closed, whether it was our fault, your fault.
8 Who cares? That's history. I've got to show him that
9 the options are still there, 'cause, Steve, if we don't
10 get off the mark, those options are closing for you and
11 for me. I don't want to see that happen. But we
12 haven't demonstrated -- we, you and I, have not
13 demonstrated other than the fact that both of us have
14 enough testicle fortitude to meet out in the middle of
15 a road, however -- whatever that displays.

16 That we've got mutual trust in one another,
17 that's good. I'm not downplaying that. But we don't
18 have -- We haven't gotten anybody else out of that
19 compound now, nobody, in days. And when I go in hat in
20 hand saying look, we're having wonderful conversations
21 and I've made a new friend, well, that's, that's all
22 warm and fuzzy, but that is not progress as far as my
23 commanders are concerned, that, that they want to
24 accept this as the best we can do.

25 Now, I may be happy about it and I may be
proud of it, but we've got to get some people out of

1 | there. And I have absolutely no problem in meeting you
2 | and facilitating getting them out. We've got buses
3 | here, we've got medical attention here. And I
4 | apologize if I'm repetitious because I don't know how
5 | much of it you heard when I was talking to David.

6 | STEVE SCHNEIDER: I, I actually didn't hear
7 | anything. In fact, from what I'm hearing from you now
8 | is something that I wouldn't have guessed he was
9 | replying to by the things he was saying. So this, you
10 | know, I couldn't tell what you were actually saying at
11 | all.

12 | BYRON: Okay. What I told him, Steve, is
13 | that we have arranged for buses. We've got three buses
14 | we can bring more.

15 | STEVE SCHNEIDER: Were you telling him that
16 | then?

17 | BYRON: Yes, sir.

18 | STEVE SCHNEIDER: And how was he reacting to
19 | that?

20 | BYRON: He, he was reacting, I'm hoping,
21 | favorably, until the call of the wild hit him, and I'm
22 | sitting here --

23 | STEVE SCHNEIDER: Right.

24 | BYRON: -- resisting it.

25 | STEVE SCHNEIDER: Which is true. You know,
he did have to go use the facilities.

1 BYRON: I understand that. That's fine.

2 We've all got human needs. We want to be --

3 STEVE SCHNEIDER: He's very --

4 BYRON: Steve, we want to be able to address
5 all of your human needs. We want to get you -- That
6 place can't be comfortable. It's been cold.

7 STEVE SCHNEIDER: Right. He started, he
8 started bleeding I think probably, 'cause he did get up
9 and start walking around. He walked down to the phone
10 where I'm at here, and just now he said he had to
11 leave. He said he was bleeding. So I, I didn't
12 realize that.

13 BYRON: Steve, you all are, are over your
14 daily devotionals at 3:00. Is that correct?

15 STEVE SCHNEIDER: That's correct.

16 BYRON: Okay. I told him that the buses
17 would be here by 3. They're already here. You can
18 look out the window, you can see them at the -- down at
19 the Y and down here by the, by the water towers.

20 STEVE SCHNEIDER: And when you said that to
21 him, what did he tell you?

22 BYRON: He was receptive to that. Now, I, I
23 hope he's receptive to it -- And I'm not going to stand
24 here and tell you that he said fine, we'll fill them
25 up, but I tell you -- I'm telling you, just as I told
 him, we need to show some motion here. We need to show

1 | some movement. And, Steve, let's, let's cut to the
2 | chase here. You know as well as I do that if David
3 | says, and probably if you say, any of you that, that
4 | are ready to go, let's go.

5 | And those that have some resistance, if he
6 | instructs them to go, they're gone. Well, we're -- we
7 | stand ready to receive them. We also stand ready to,
8 | to, to try to help Judy out with her, with her hand and
9 | finger and, and everything else. Can you hold on just
10 | a second?

11 | STEVE SCHNEIDER: Sure.

12 | BYRON: Hold on. [gap] Steve, are you
13 | there?

14 | STEVE SCHNEIDER: Yes.

15 | BYRON: Just got a message handed to me, and
16 | I'm out -- I'm right around the corner from you, so I
17 | haven't gotten this directly from downtown, but I'm
18 | informed that Kathy Schroeder was just released on
19 | bond. Now, I'm sure you have an interest in that.

20 | STEVE SCHNEIDER: Um-hum.

21 | BYRON: This, this should just be a further
22 | testament as to the treatment, the fairness of the
23 | system.

24 | STEVE SCHNEIDER: Who did he -- Who was she
25 | arraigned before? Who did she come before as a judge?

 BYRON: I think she went before -- And it's

1 my understanding all of her proceedings have been
2 before Dennis Green, who is the magistrate that signed
3 these -- And again, I'll digress.

4 STEVE SCHNEIDER: Okay.

5 BYRON: Among the things that I have brought
6 out here that I wanted to be able to give to you face
7 to face, and I still want to --

8 STEVE SCHNEIDER: Okay.

9 BYRON: -- are copies of the search warrant.
10 Have I mentioned this to you?

11 STEVE SCHNEIDER: Yeah.

12 BYRON: Search warrant and arrest warrant.

13 STEVE SCHNEIDER: All right.

14 BYRON: They're signed by Dennis Green. Both
15 of them -- Let me double check to make sure I'm
16 accurate. Both of them on the 25th.

17 STEVE SCHNEIDER: Twenty-fifth of February?
18 Both arrest -- Both the search warrant and arrest were
19 signed by -- both warrants by Dennis Green then?

20 BYRON: That's correct.

21 STEVE SCHNEIDER: Okay.

22 BYRON: On the 25th of February, well in
23 advance of the anticipated raid. That's when
24 everything was -- That's when the affidavit which
25 supports the search warrant and the arrest warrant was
sealed. Now, Wayne had expressed a concern about the

1 sealing of these documents and so forth.

2 STEVE SCHNEIDER: That's my understanding.

3 BYRON: As a violation of his constitutional
4 rights. The only thing that's sealed, and remains
5 sealed until you all are arraigned, taken before the
6 appropriate magistrate and arraigned and your
7 identities substantiated and the specific charges read
8 to you and, and your counsel appointed and everything
9 else, that -- the only thing that's sealed is the
10 affidavit. And the reason for that is, is concern
11 about the ongoing safety of like the undercover agent,
12 that you already know apparently, and I don't know.

13 I've never talked to the man. But you've
14 told me more times than I've heard from anywhere else
15 about the fact that there was an undercover ATF agent.

16 STEVE SCHNEIDER: Um-hum.

17 BYRON: And I've, I've glanced over the, the
18 affidavit as part of the, the general investigative
19 package that's available to the commanders, just so
20 that we'll know, so that my commander is fully informed
21 as to the lawfulness, and I stress this, the lawfulness
22 of the search, or the attempted search, and the
23 lawfulness of the attempted arrest warrant. Because if
24 it was unlawful, that'd be an area we'd have interest
25 in investigating ourselves.

But anyhow, that's still, that's still

1 | sealed. So what I'm able to bring forth to you is a
2 | copy of the arrest warrant and the search warrant.
3 | Now, she's been, she's been released on bond as of -- I
4 | mean, I just got the message when I asked you to hold
5 | on.

6 | STEVE SCHNEIDER: Okay.

7 | BYRON: What we need to do --

8 | STEVE SCHNEIDER: How much -- What's her
9 | bond?

10 | BYRON: I didn't get a, I didn't get an
11 | indication as to how much the bond was, but she, she's
12 | out on bond. May well have been on her personal
13 | recognizance, but I don't know and I'm not going to
14 | tell you something I don't know. I'm not --

15 | STEVE SCHNEIDER: Well, you know, of course,
16 | he would be interested to know even that.

17 | BYRON: Sure.

18 | STEVE SCHNEIDER: And where she might -- Is
19 | she -- Where is she at now? Did she leave the premises
20 | of the county jail or --

21 | BYRON: Steve, yes, she's out on bond. She's
22 | sure not going to -- I don't think she's going to
23 | recreate at the county jail.

24 | STEVE SCHNEIDER: Do you know where she might
25 | be headed or --

 BYRON: We can try to find out. Or better

1 | yet, you can find out when you all come out. We'll
2 | reunite you. And, and that's not a, that's not a
3 | frivolous statement. We're ready to do that. But
4 | talk's cheap. You know what I mean?

5 | STEVE SCHNEIDER: Um-hum.

6 | BYRON: It's time now to come forward so that
7 | I can, I can continue to deal with good faith with you,
8 | but I can continue to walk in the door without getting
9 | my head bit off by my -- by the commander of this
10 | thing. Let's get something done. We've got the buses
11 | here, we've got the ambulances ready, we've got legal
12 | counsel and representation waiting for you. Your daily
13 | devotional is over in 15 minutes. We're here, we're
14 | ready. I don't know what else we can do. All right?

15 | STEVE SCHNEIDER: Okay.

16 | BYRON: Okay. The negotiators are -- And I'm
17 | still on a patch with you, so the negotiators are still
18 | back at the command post. Steve, please, now we've had
19 | misunderstandings before as far as who's going to call
20 | who and what kind of time limits. Get back to us.
21 | It's 10 minutes of 3. Get back to us by -- What's,
22 | what's good for you, 3:10?

23 | STEVE SCHNEIDER: That's a little bit soon
24 | because, remember, there's a lot of people here.

25 | BYRON: Right.

 STEVE SCHNEIDER: And there would have to be

1 a lot of conversation. They're all over the premises.

2 BYRON: Well, let's get -- Gather them --
3 Steve, we're not, we're not trying -- This is not any
4 kind of -- to try to get them all in one space, but get
5 together with these people and let them know. We stand
6 ready to accept them right now and treat them properly.

7 STEVE SCHNEIDER: I'll tell them that.

8 BYRON: Let's, let's get them -- Let's get
9 this worked out. And I want to, I want to help
10 participate in this thing. Okay? I will be, I'll be,
11 I'll be in a position to -- You can tell I've got a
12 couple of --

13 STEVE SCHNEIDER: Right.

14 BYRON: -- conversations going here.

15 STEVE SCHNEIDER: Right, I can tell.

16 BYRON: I'm in a position to be able to, to
17 announce this, to, to help coordinate it from out here.
18 I'm already here. I'm out here right around the
19 corner, waiting to work with you on this thing. So
20 whatever I can do to facilitate it from this end, I'll
21 do it. The negotiators that are also on the line down
22 there at the command post, which is, is down in Waco,
23 they stand ready to facilitate it and coordinate it,
24 just like you were able to do so skillfully early on in
25 this thing, when you and I walked those people out.

 And you remember that and so do I. We can do

1 | it again, and it's time to do it right now. But we'll
2 | give you time to go talk to the people, but, please,
3 | Steve --

4 | STEVE SCHNEIDER: Okay.

5 | BYRON: -- it's getting dark. We want to do
6 | this in an orderly fashion where you all are
7 | comfortable and we're comfortable. One of the reasons
8 | for those lights that are out there --

9 | STEVE SCHNEIDER: Um-hum.

10 | BYRON: -- remember all the, the misgivings
11 | that you all had when we were trying to get the -- I
12 | think it was the fifth and sixth child released?
13 | Nobody wanted them to walk down to that -- to the T in
14 | the road -- road because you guys were seeing what you
15 | thought were, were, you know (indiscernible) the dark
16 | and we were seeing the same thing.

17 | STEVE SCHNEIDER: Byron, you know that's not
18 | the reason why the lights are like 50 feet away from
19 | the building.

20 | BYRON: Steve, that's part of it.

21 | STEVE SCHNEIDER: But you know that's not --

22 | BYRON: And it might be hard for you to
23 | understand, but --

24 | STEVE SCHNEIDER: It is not, it is not, not
25 | because the children needed to walk down a road and get
 | into a, a vehicle or anything. It's -- You have other

1 motives and reasons for it. I don't know totally what
2 they might be, but I could second guess --

3 BYRON: Steve, the bottom line, the bottom
4 line is safety, and that's what I'm telling you.

5 STEVE SCHNEIDER: For who? That's the
6 question.

7 BYRON: For everybody.

8 STEVE SCHNEIDER: Okay.

9 BYRON: We're here -- I'm committed -- We're
10 all here committed to try to get you all out of there
11 safe, without any harm coming to either side. There's
12 already been enough harm. There's already been enough
13 blood shed. There's already been enough loss of life.
14 We don't need any of that anymore. You don't need
15 it --

16 STEVE SCHNEIDER: Never wanted it.

17 BYRON: -- and we don't need it.

18 STEVE SCHNEIDER: Never wanted it.

19 BYRON: Hey, everybody that's involved in
20 this thing now is in the same boat. You didn't bring
21 it on yourself, we didn't bring it on. You've got the
22 FBI here handling it now and we will ensure to you an
23 orderly transition of this matter. Let's get it into
24 the court system. Talk to your people. It's almost 5
25 minutes of 3 now. What do you think, 3:30? Time's --

STEVE SCHNEIDER: Four o'clock.

1 BYRON: Steve, 4:00 is too late because it
2 starts getting dark at 6.

3 STEVE SCHNEIDER: There's over 100, there's
4 over 100 people here, though.

5 BYRON: Can't you gather them together?
6 Don't you have a --

7 STEVE SCHNEIDER: No, because they're all
8 over the place and the program here is, you know, that
9 hasn't been done, nor will it be done at this point of
10 time. So I'd have to go one end to another and all
11 over.

12 BYRON: David -- David, excuse me.
13 Obviously, he's on my mind, too. Steven, 4:00 at the
14 latest. Okay?

15 STEVE SCHNEIDER: All right.

16 BYRON: And that's not an ultimatum, that's a
17 plea.

18 STEVE SCHNEIDER: No, I know. I --

19 BYRON: Because -- Now, please bear this in
20 mind, okay? These -- I think -- I haven't seen them,
21 but they're -- Oh, I do see them. They're like school
22 buses, so that's the size that you're talking about.

23 STEVE SCHNEIDER: I've seen them also from,
24 you know, in the distance many times.

25 BYRON: Good.

 STEVE SCHNEIDER: I do know what you're

1 talking about.

2 BYRON: So, so that's -- Basically, you're
3 talking about several people per bus. So, please,
4 let's, let's put a significant effort into this and you
5 and I, I think, can start the, the flow that we were
6 trying to do before. And whether we, we messed it up,
7 again, that's history. Okay? Let's, let's not mess it
8 up today is the point.

9 STEVE SCHNEIDER: I'll talk --

10 BYRON: Please.

11 STEVE SCHNEIDER: Okay, I'll talk to you at
12 4.

13 BYRON: Okay. Go ahead and call the normal
14 number and they can -- And I'll tell you, I'm going to
15 go ahead and stay on here forward, so that I can help
16 facilitate this thing.

17 STEVE SCHNEIDER: All right.

18 BYRON: But, Steve, let's do this.

19 STEVE SCHNEIDER: I will do what I can.

20 BYRON: You and I can do this.

21 STEVE SCHNEIDER: I'll be doing my part.

22 BYRON: Okay, buddy.

23 STEVE SCHNEIDER: Okay.

24 BYRON: Talk to you later.

25 STEVE SCHNEIDER: Okay, bye.

 BYRON: Bye.

(End of Tape 6x.)

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